

1 ENGROSSED HOUSE  
2 BILL NO. 1933

By: Martinez of the House

3 and

4 Taylor of the Senate

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6  
7 [ labor - unemployment benefits - modifying benefit  
8 wages - effective date ]  
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12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

13 SECTION 1. AMENDATORY 40 O.S. 2021, Section 1-221, is  
14 amended to read as follows:

15 Section 1-221. BENEFIT WAGES.

16 "Benefit wages" means the taxable wages earned by a claimant  
17 during the claimant's base period which are not in excess of the  
18 current maximum weekly benefit amount, as determined under Section  
19 2-104 of this title, multiplied by the maximum number of weeks for  
20 which benefits could be paid to any individual ~~(now twenty-six (26)~~  
21 ~~weeks)~~ pursuant to Section 3 of this act multiplied by three (3);  
22 provided, however, no wages shall be included as "benefit wages"  
23 unless and until the claimant has been paid benefits for five (5)  
24 weeks in one (1) benefit year.

1 SECTION 2. AMENDATORY 40 O.S. 2021, Section 2-  
2 106, is amended to read as follows:

3 Section 2-106. MAXIMUM BENEFIT AMOUNT.

4 ~~An~~ Effective January 1, 2023, an otherwise eligible individual  
5 shall be entitled during any benefit year to a total amount of  
6 benefits equal to whichever is the lesser of:

7 1. Twenty-six (26) times the weekly benefit amount of the  
8 individual;

9 2. The applicable percentage of the state's average annual wage  
10 for the second preceding calendar year as determined by the  
11 Commission, rounded to the nearest multiple of One Hundred Dollars  
12 (\$100.00). The applicable percentage is determined by the  
13 conditional factor in place during the calendar year in which the  
14 individual files for benefits. The conditional factor is determined  
15 pursuant to the provisions of Section 3-113 of this title. The  
16 applicable percentages for this paragraph are as follows:

17 a. twenty-five percent (25%) during any calendar year in  
18 which the balance in the Unemployment Compensation  
19 Fund is in excess of the amount required to initiate  
20 conditional contribution rates, pursuant to the  
21 provisions of Section 3-113 of this title,

22 b. twenty-three and three-fourths percent (23.75%) during  
23 calendar years in which condition "a" exists,  
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- c. twenty-two and one-half percent (22.5%) during calendar years in which condition "b" exists,
- d. twenty-one and one-fourth percent (21.25%) during calendar years in which condition "c" exists, and
- e. twenty percent (20%) during calendar years in which condition "d" exists; or

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

- a. fifty percent (50%) during any calendar year in which the balance in the Unemployment Compensation Fund is in excess of the amount required to initiate conditional contribution rates, pursuant to the provisions of Section 3-113 of this title,
- b. forty-seven and one-half percent (47.5%) during calendar years in which condition "a" exists,
- c. forty-five percent (45%) during calendar years in which condition "b" exists,
- d. forty-two and one-half percent (42.5%) during calendar years in which condition "c" exists, and

1 e. forty percent (40%) during calendar years in which  
2 condition "d" exists.

3 SECTION 3. NEW LAW A new section of law to be codified  
4 in the Oklahoma Statutes as Section 1-230 of Title 40, unless there  
5 is created a duplication in numbering, reads as follows:

6 For purposes of this section, "state average unemployment rate"  
7 means the average of the three (3) months for the most recent third  
8 calendar year quarter or the seasonally adjusted unemployment rates  
9 as published by the Office of Unemployment Insurance within the U.S.  
10 Department of Labor's Employment and Training Administration or the  
11 agency responsible for collecting and publishing unemployment rate  
12 data.

13 For unemployment compensation claims submitted during a calendar  
14 year, the duration of benefits is limited to:

15 1. Twelve (12) weeks if the state's average unemployment rate  
16 is at or below three percent (3%);

17 2. An additional week may be added in addition to the twelve  
18 (12) weeks for each one-half percent (0.5%) increment in the state's  
19 average unemployment rate above three percent (3%); or

20 3. Up to a maximum of twenty (20) weeks.

21 SECTION 4. This act shall become effective January 1, 2023.  
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1 Passed the House of Representatives the 23rd day of March, 2022.

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3 \_\_\_\_\_  
4 Presiding Officer of the House  
of Representatives

5 Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2022.

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9 Presiding Officer of the Senate