

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
93rd General Assembly
Regular Session, 2021

As Engrossed: S2/23/21
A Bill

HOUSE BILL 1212

By: Representative Ladyman

By: Senator Irvin

For An Act To Be Entitled

AN ACT TO AMEND THE DIVISION OF WORKFORCE SERVICES LAW; CONCERNING THE NONCHARGE OF EMPLOYER CONTRIBUTIONS FOR CERTAIN UNEMPLOYMENT INSURANCE CLAIMS; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE DIVISION OF WORKFORCE SERVICES LAW; *CONCERNING* THE NONCHARGE OF EMPLOYER CONTRIBUTIONS FOR CERTAIN UNEMPLOYMENT INSURANCE CLAIMS; AND TO DECLARE AN EMERGENCY.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 11-10-703(a), concerning employer rates and separate accounts regarding an employer's unemployment benefit contributions, is amended to add an additional subdivision to read as follows:

(7)(A) At the discretion of the director, benefits paid with respect to weeks of unemployment claimed starting the week ending on April 4, 2020, and after may be noncharged to the separate account of each employer in the base period if the benefits are paid as the direct result of:

(i) The Governor declaring a disaster emergency under the Arkansas Emergency Services Act of 1973, § 12-75-101 et seq.; or

(ii) A disaster resulting in a state or federal disaster declaration.



(B) In exercising discretion to noncharge employer accounts, the director shall act in a uniform manner with respect to all charges to employers for benefits resulting from a disaster emergency described in subdivision (a)(7)(A)(i) of this section or a state or federal disaster declaration described in subdivision (a)(7)(A)(ii) of this section.

SECTION 2. DO NOT CODIFY. It is the intent of the General Assembly that the effective date of this act is retroactive to April 4, 2020.

SECTION 3. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that the uncertainty for businesses in Arkansas caused by a disaster emergency has caused a threat to state revenue; that a need exists to allow for the Director of the Division of Workforce Services to modify employer contributions for certain unemployment insurance claims during a disaster emergency; and that this act is immediately necessary because state revenues and businesses in Arkansas will suffer if the Director of the Division of Workforce Services is unable to noncharge employer contributions as a result of a disaster emergency and it is the intent of the General Assembly that this act be retroactive to prevent further harm to businesses and state revenues. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

- (1) The date of its approval by the Governor;
- (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or
- (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.

/s/Ladyman