

SB 257 – AS INTRODUCED

2012 SESSION

12-2946

08/04

SENATE BILL        **257**

AN ACT            relative to unemployment compensation.

SPONSORS:        Sen. Forrester, Dist 2; Sen. Luther, Dist 12; Rep. Greemore, Belk 3

COMMITTEE:      Commerce

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ANALYSIS

This bill provides for the calculation of charges to certain reimbursable employees.

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Explanation:        Matter added to current law appears in ***bold italics***.  
                          Matter removed from current law appears [~~in brackets and struck through~~].  
                          Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twelve*

AN ACT relative to unemployment compensation.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1 1 Separate Accounts; Chargeable Account. Amend RSA 282-A:74 to read as follows:

2 282-A:74 Separate Accounts; Chargeable Account.

3 I. The commissioner shall maintain a separate account for each employer and shall credit his  
4 **or her** account with all contributions timely paid by him **or her** or on his **or her** behalf; but nothing  
5 in this chapter shall be construed to grant any employer or any individual in his **or her** service prior  
6 claims or rights to the amounts paid by him **or her** into the fund, either on [~~his~~] **the employer's** own  
7 behalf or on behalf of such individuals.

8 II. Benefits paid to an eligible individual shall be charged against the account of the  
9 claimant's most recent employer, **including those benefits not chargeable to a reimbursing**  
10 **employer pursuant to RSA 282-A:75-a, and also** including 1/2 of such benefits as are paid to an  
11 individual under RSA 282-A:30, except whenever benefits are paid and a chargeable employer under  
12 this paragraph has not been established following a determination that an individual previously  
13 disqualified under RSA 282-A:32, but now eligible due to having earned wages in employment as  
14 required by RSA 282-A:32, I, the fund shall be chargeable.

15 2 New Section; Reimbursing Employer Not Chargeable. Amend RSA 282-A by inserting after  
16 section 75 the following new section:

17 282-A:75-a Reimbursing Employer Not Chargeable.

18 I. In requiring reimbursement of benefits pursuant to RSA 282-A:69, II; RSA 282-A:69, V;  
19 RSA 282-A:70; RSA 282-A:71, I; and RSA 282-A:72, no reimbursement shall be charged to a  
20 reimbursing employer which provided employment during the applicable base period, but shall be  
21 charged by the commissioner pursuant to RSA 282-A:74, II for:

22 (a) Benefits paid to an eligible individual previously disqualified under RSA 282-A:32,  
23 I(a) or RSA 282-A:32, I(b) for a separation from such reimbursing employer, following a  
24 determination that the individual is now eligible due to having earned wages in employment as  
25 required by RSA 282-A:32, I; or

26 (b) Benefits paid to an individual by reason of RSA 282-A:32, I(a)(2), (3), (4), (5), or (6)  
27 being applied to a separation from such reimbursing employer.

28 II. The provisions of subparagraph I(a) shall not apply and the reimbursing employer which  
29 provided employment during the applicable base period shall be required to reimburse pursuant to  
30 RSA 282-A:69, II; RSA 282-A:69, V; RSA 282-A:70; RSA 282-A:71, I; and RSA 282-A:72, as  
31 applicable, if:

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1                   (a) It was the employer from which the previously disqualifying separation occurred; and

2                   (b) It provided, in whole or in part, the wages in employment under RSA 282-A:32, I

3 which removed the previous disqualification.

4                   3 Effective Date. This act shall take effect 60 days after its passage.