

SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

BILL NO. House Bill 1446

PRINTER NO. 2726

AMOUNT

No Fiscal Impact

FUND

Unemployment Compensation
Trust Fund

DATE INTRODUCED

June 20, 2023

PRIME SPONSOR

Representative R. Mackenzie

DESCRIPTION

House Bill 1446 amends the Unemployment Compensation Law to allow victims of domestic violence to remain eligible for unemployment compensation benefits if they voluntarily quit their job for their safety.

This legislation prohibits an individual from being deemed ineligible for unemployment compensation for voluntarily leaving employment or for failure to attend work if doing so was a result of a domestic violence situation, and continued employment would jeopardize the safety of the individual or the individual’s family.

The bill provides for verification of a domestic violence situation on an initial application for benefits by providing any of the following documentation:

- An active or recently issued protective order or other order, court record, a police record, medical treatment records, social services records or child protective services records;
- A statement supporting the existence of domestic violence from a qualified professional the individual has sought assistance from;
- A self-affirmation that the individual’s continued employment would jeopardize their or their family’s safety due to the domestic violence situation; and
- Any other evidence that reasonably proves domestic violence.

The documentation shall remain confidential, and the Department of Labor and Industry (department) may not disclose the existence of the situation to an employer regarding the claim.

House Bill 1446 requires the department to expedite eligibility determinations of individuals if they are otherwise eligible for compensation. The department may redetermine eligibility if it receives information within 18 months of the application that the self-affirmation included false information. If the department has reasonable cause to suspect false information in a self-affirmation, it may require additional information to verify the situation.

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This legislation automatically grants relief from charges to base year employers for benefit charges related to a claim unless the domestic violence situation is attributable to the employment with the base year employer. The department is required to notify employers that have been automatically granted relief from charges.

The legislation requires the department to consult with the Office of Victim Advocate and relevant advocacy groups in implementing the act.

The legislation shall take effect in six months.

FISCAL IMPACT:

House Bill 1446 will have no fiscal impact on the Unemployment Compensation Trust Fund.

Although current law does not explicitly address whether an individual may collect benefits if they voluntarily quit their job for domestic violence reasons, the department has determined that a claimant who leaves employment for domestic violence reasons does have "necessitous and compelling reasons" to leave employment and is determined to be eligible for benefits.