

DRAFT LANGUAGE FOR AMENDING STATE EB LAW

(d) Weekly extended benefit amount.-- The weekly extended benefit amount payable to an individual for a week of total unemployment in his eligibility period shall be an amount equal to the weekly benefit amount <sup>1</sup> payable to him during his applicable benefit year. For any individual who was paid benefits during the applicable benefit year in accordance with more than one weekly benefit amount, <sup>1</sup> the weekly extended benefit amount shall be the average of such weekly benefit amounts <sup>1</sup>.

Provided. That for any week during a period in which Federal payments to this State under section 204 of the Federal-State Extended Unemployment Compensation Act of 1970 are reduced under an order issued under section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985: the weekly extended benefit amount payable to an individual for a week <sup>1</sup> of total -- unemployment in his eligibility period shall be reduced by a percentage equivalent to the percentage <sup>2</sup> of the reduction in the Federal Payment. Such reduced weekly extended benefit amount, if not a full dollar amount, shall be rounded to the nearest lower full dollar amount.<sup>3</sup>

(e) Total extended benefit amount.-- The total extended benefit amount payable to any eligible individual shall be the least of the following amounts:

- (1) fifty percent of the total amount of regular benefits (including dependents' allowance) <sup>4</sup> which were payable to him under this Act in his applicable benefit year:
- (2) thirteen times his weekly benefit amount, <sup>5</sup> (including dependents' allowances) <sup>4</sup> which was payable to him under this Act for a week of total unemployment in the applicable benefit year: or
- (3) <sup>6</sup> thirty-nine times his weekly benefit amount <sup>5</sup>, (including dependents' allowances) <sup>4</sup> which was payable to him under this Act for a week of total unemployment in the applicable benefit year, reduced by the total amount of regular benefits which were paid (or deemed paid) to him under this Act with respect to the benefit year.

Provided, <sup>7</sup> That the amount so determined shall be reduced by the total amount of additional benefits paid (or deemed paid) to the individual under the provisions of section \_\_\_\_\_ <sup>8</sup> of this Act for weeks of unemployment in the individual's benefit year which began prior to the effective date of the extended benefit period which is current in the week for which the individual first claims extended benefits; and

Provided, further, that during any fiscal year in which Federal payments to this State under section 204 of the Federal-State Extended Unemployment Compensation Act of 1970 are reduced under an order issued under section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985, the total extended benefit amount payable to an individual with respect to his applicable benefit year shall be reduced by an amount equal to the aggregate of the reductions of section \_\_\_\_\_ <sup>9</sup> in the weekly amounts paid to the individual.

1 In States with statutory provisions under which dependents allowances are provided, the phrase "weekly basic or augmented benefit amount, whichever, is appropriate, 11 should be substituted for the words "weekly benefit amount,"

and "weekly basic or augmented benefit amounts, whichever are appropriate," for the words "weekly benefit amounts."

2 A State may, provide for reducing the claimant's weekly benefit amount by less than the percentage of the Federal share reduction. A reduction equal to the Federal share will result in the Federal share being 50 percent of the EB paid

3 The sentence on rounding is provided for those States which have elected to round-down EB weekly benefit amounts. Without such rounding down the Federal reimbursement would be further reduced under Section 204 (a) (2)(D).

4 In State laws with no provision for payments of dependents' allowances, references to such allowances should be omitted.

5 If, under the State law, the weekly benefit amounts may fluctuate during the benefit year, the word "average" should be added before the words "weekly benefit amount."

6 This paragraph is necessary only in a State law under which regular benefits payable to an individual in his benefit year may exceed 26 times his weekly benefit amount.

7 This provision is pertinent only in States in which the State law provides for the-payment of wholly State-financed additional benefits. Such States, under the Federal law, may (but do not have to) provide for the reduction of the total amount of extended benefits payable to an individual by the amount of additional benefits which were paid (or deemed paid) to the individual in his applicable benefit year before he becomes entitled to extended benefits.

8 Include reference to section of State law under which wholly State-financed additional benefits are payable.

9 Include reference to section of State law under which the reduction in the weekly extended benefit amount is authorized. In this example , the reference would be "subsection (d)\_of this section."