MISSISSIPPI LEGISLATURE REGULAR SESSION 2021

By: Representative Hines

To: Workforce Development; Appropriations

HOUSE BILL NO. 56

AN ACT TO AMEND SECTION 71-5-503, MISSISSIPPI CODE OF 1972, TO REVISE THE MINIMUM WEEKLY BENEFIT AMOUNT FOR AN INDIVIDUAL THAT RECEIVES UNEMPLOYMENT COMPENSATION; TO BRING FORWARD SECTION 71-5-505, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. Section 71-5-503, Mississippi Code of 1972, is amended as follows:

71-5-503. (1) An individual's weekly benefit amount for a benefit year shall be one-twenty-sixth (1/26) of his total wages for insured work paid during that quarter of his base period in which such total wages were highest, computed to the next lower multiple of One Dollar ($1.00), if not a multiple of One Dollar ($1.00).

(2) (a) On or before June 15 of each year, the total wages reported on contribution reports for the preceding calendar year shall be divided by the average monthly number of insured workers (determined by dividing the total insured workers reported on contribution reports pursuant to the regulations of the department

for the preceding year by twelve (12)). The average annual wage thus obtained shall be divided by fifty-two (52) and the average weekly wage thus determined rounded to the nearest cent.

(b) Sixty percent (60%) of this amount, rounded to the nearest dollar, shall constitute the maximum "weekly benefit amount" paid to any individual whose benefit year commences on or after July 1 of such year and prior to July 1 of the next following year *** * ***.

(c) The minimum weekly benefit amount for the individual shall be *** * *** the following:

(i) For wages totaling over One Hundred Thousand Dollars ($100,000.00), One Thousand Dollars ($1,000.00) per week;

(ii) For wages totaling between Seventy-five Thousand Dollars ($75,000.00) and One Hundred Thousand Dollars ($100,000.00), Seven Hundred Fifty Dollars ($750.00) per week;

(iii) For wages totaling between Fifty Thousand Dollars ($50,000.00) and Seventy-five Thousand Dollars ($75,000.00), Six Hundred Fifty Dollars ($650.00) per week;

(iv) For wages totaling between Twenty-five Thousand Dollars ($25,000.00) and Fifty Thousand Dollars ($50,000.00), Five Hundred Dollars ($500.00) per week; and

(v) For wages totaling Twenty-five Thousand Dollars ($25,000.00) or less, Two Hundred Fifty Dollars ($250.00) per week.

(d) If an individual's weekly benefit amount would compute to less than the said minimum, then such individual would be entitled to no benefits.

(3) An individual's weekly benefit amount, as determined at the beginning of his benefit year, shall constitute his weekly benefit amount throughout such benefit year.

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SECTION 2. Section 71-5-505, Mississippi Code of 1972, is brought forward as follows:

71-5-505. (1) For weeks beginning on or after July 1, 1991, each eligible individual who is totally unemployed or part totally unemployed in any week shall be paid with respect to such week a benefit in an amount equal to his weekly benefit amount less that part of his wages, if any, payable to him with respect to such week which is in excess of Forty Dollars ($40.00). Such individuals must have been totally unemployed or part totally unemployed for a waiting period of one (1) week during which he earned less than his weekly benefit amount plus Forty Dollars ($40.00). Such benefit for a benefit year effective on or after October 1, 1983, if not a multiple of One Dollar ($1.00), shall be computed to the next lower multiple of One Dollar ($1.00). Provided, however, that remuneration for "inactive duty training" or "unit training assembly" payable to such eligible individual who is a member of any of the reserve components, or remuneration for jury duty pursuant to a lawfully issued summons therefor

payable to such eligible individual, shall not be considered wages which serve to reduce the otherwise payable benefit amount.

In determining whether an eligible individual is unemployed during a week, the date of commencing a shift shall determine the week for which the earnings are deducted.

(2) However, the one-week waiting period described herein shall be waived if the President of the United States declares a major disaster with regard to individual assistance in accordance with Section 401 of The Robert T. Stafford Disaster Relief and Emergency Assistance Act. The department, in its discretion, shall have the authority to noncharge an employer account for any benefits paid for unemployment due directly to such disaster, but only in those counties and/or areas identified by the disaster area for individual assistance.

SECTION 3. This act shall take effect and be in force from and after July 1, 2021.