

**First Regular Session
Sixty-seventh General Assembly
STATE OF COLORADO**

REENGROSSED

*This Version Includes All Amendments
Adopted in the House of Introduction*

LLS NO. 09-0034.01 Christy Chase

HOUSE BILL 09-1054

HOUSE SPONSORSHIP

Looper, Balmer, Rice, Stephens, Todd

SENATE SPONSORSHIP

Morse, King K.

House Committees

Business Affairs and Labor

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING ELIGIBILITY FOR UNEMPLOYMENT INSURANCE BENEFITS**
102 **FOR AN INDIVIDUAL WHO LEAVES EMPLOYMENT TO RELOCATE**
103 **TO A NEW PLACE OF RESIDENCE AFTER THE INDIVIDUAL'S**
104 **ACTIVE DUTY MILITARY SPOUSE IS KILLED IN COMBAT.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Allows the surviving spouse of a member of the United States armed forces who is killed in combat to claim a full award of unemployment insurance benefits if the surviving spouse:

! Relocates to a new place of residence after the death of his

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

HOUSE
3rd Reading Unamended
January 27, 2009

HOUSE
Amended 2nd Reading
January 26, 2009

- or her active duty military spouse;
- ! Is unable to commute to his or her current employment from the new place of residence; and
- ! Is available for suitable work upon arrival at the new place of residence.

Specifies that the benefits are to be charged to the unemployment compensation fund rather than the employer.

Requires the division of employment and training in the department of labor and employment to track the number of claims made and the amounts awarded to surviving spouses and to submit an annual report to the business affairs and labor committee of the house of representatives and the business, labor, and technology committee of the senate, or their successor committees, detailing the number of claimants and amounts awarded.

Repeals the eligibility for benefits, effective July 1, 2019.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** 8-73-108 (4), Colorado Revised Statutes, is
3 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

4 **8-73-108. Benefit awards - repeal.** (4) **Full award.** An
5 individual separated from a job shall be given a full award of benefits if
6 any of the following reasons and pertinent conditions related thereto are
7 determined by the division to have existed. The determination of whether
8 or not the separation from employment shall result in a full award of
9 benefits shall be the responsibility of the division. The following reasons
10 shall be considered, along with any other factors that may be pertinent to
11 such determination:

12 (t) (I) QUITTING A JOB TO RELOCATE TO A NEW PLACE OF
13 RESIDENCE, EITHER WITHIN OR OUTSIDE COLORADO, FROM WHICH IT IS
14 IMPRACTICAL TO COMMUTE TO THE PLACE OF EMPLOYMENT **BECAUSE THE**
15 INDIVIDUAL'S SPOUSE, WHO WAS STATIONED IN COLORADO, IS KILLED IN
16 COMBAT. UPON ARRIVAL AT THE NEW PLACE OF RESIDENCE, THE
17 INDIVIDUAL SHALL BE AVAILABLE, IN ALL RESPECTS, FOR SUITABLE WORK.

1 THE INDIVIDUAL'S SPOUSE SHALL HAVE BEEN A MEMBER OF THE UNITED
2 STATES ARMED FORCES WHO WAS ON ACTIVE DUTY AS DEFINED IN 10
3 U.S.C. SEC. 101 (d) (1), ACTIVE GUARD AND RESERVE DUTY AS DEFINED
4 IN 10 U.S.C. SEC. 101 (d) (6), OR ACTIVE DUTY PURSUANT TO TITLE 10 OR
5 32 OF THE UNITED STATES CODE.

6 (II) THE DIRECTOR SHALL PROMULGATE RULES ALLOWING FOR THE
7 WAIVER OF THE REQUIREMENT TO ACTIVELY SEEK WORK, PURSUANT TO
8 SECTION 8-73-107 (1) (g), FOR AN INDIVIDUAL WHO IS ELIGIBLE FOR
9 BENEFITS PURSUANT TO THIS PARAGRAPH (t).

10 (III) ANY BENEFITS AWARDED TO THE CLAIMANT UNDER THIS
11 PARAGRAPH (t) NORMALLY CHARGEABLE TO THE EMPLOYER SHALL BE
12 CHARGED TO THE FUND, AND ANY SUCH BENEFITS SHALL NOT AFFECT AN
13 EMPLOYER'S PREMIUM.

14 (IV) THE DIVISION SHALL MAINTAIN RECORDS REGARDING THE
15 NUMBER OF INDIVIDUALS CLAIMING AND AWARDED BENEFITS, AND THE
16 AMOUNT OF BENEFITS AWARDED TO INDIVIDUALS, PURSUANT TO THIS
17 PARAGRAPH (t). BY JANUARY 31, 2010, AND BY EACH JANUARY 31
18 THEREAFTER, THE DIVISION SHALL SUBMIT A REPORT TO THE BUSINESS
19 AFFAIRS AND LABOR COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND
20 THE BUSINESS, LABOR, AND TECHNOLOGY COMMITTEE OF THE SENATE, OR
21 THEIR SUCCESSOR COMMITTEES, DETAILING THE NUMBER OF CLAIMANTS
22 AND AMOUNTS AWARDED PURSUANT TO THIS PARAGRAPH (t).

23 (V) THIS PARAGRAPH (t) IS REPEALED, EFFECTIVE JULY 1, 2019.

24 **SECTION 2. Safety clause.** The general assembly hereby finds,
25 determines, and declares that this act is necessary for the immediate
26 preservation of the public peace, health, and safety.