

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 558

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO EMPLOYMENT SECURITY LAW; AMENDING SECTION 72-1367, IDAHO CODE,  
TO REVISE PROVISIONS REGARDING BENEFIT ENTITLEMENT AND TO MAKE TECHNICAL  
CORRECTIONS; AND PROVIDING AN EFFECTIVE DATE.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 72-1367, Idaho Code, be, and the same is hereby  
amended to read as follows:

72-1367. BENEFIT FORMULA. (1) To be eligible, an individual shall have  
the minimum qualifying amount of wages in covered employment in at least one  
(1) calendar quarter of his base period, and shall have total base period  
wages of at least one and one-quarter (1 1/4) times his high quarter wages.  
The minimum qualifying amount of wages shall be determined each January 1 and  
shall equal fifty percent (50%) of the product of the state minimum wage, as  
defined by section 44-1502, Idaho Code, multiplied by five hundred twenty  
(520) hours, rounded to the lowest multiple of twenty-six (26).

(2) The weekly benefit amount shall be one twenty-sixth (1/26) of high-  
est quarter wages, except that it shall not exceed the applicable maximum  
weekly benefit amount. The maximum weekly benefit amount shall be estab-  
lished by the director, who shall determine the state average weekly wage  
paid by covered employers for the preceding calendar year and the maximum  
weekly benefit amount to be effective for new claims filed in the first full  
week of the following January and filed thereafter until a new maximum weekly  
benefit amount becomes effective under this subsection. The maximum weekly  
benefit amount shall be fifty-five percent (55%) of the state average weekly  
wage paid by covered employers for the preceding calendar year.

~~(3) Any eligible individual shall be entitled during any benefit year  
to a total amount of benefits equal to his weekly benefit amount times the  
number of full weeks of benefit entitlement appearing in the following table  
based on his ratio of total base period earnings to highest quarter base pe-  
riod earnings. The maximum weeks of entitlement are based on a sliding scale  
of the official forecasted, seasonally adjusted unemployment rate for the  
state for a minimum of ten (10) weeks to a maximum of twenty-six (26) weeks  
depending on the unemployment rate in effect for the months of February, May,  
August and November as follows:~~

~~(a) For any benefit week commencing in January through March of a calen-  
dar year, the maximum allowed number of benefit weeks shall be based on  
the unemployment rate for the preceding month of November;~~

~~(b) For any benefit week commencing in April through June of a calendar  
year, the maximum allowed number of benefit weeks shall be based on the  
unemployment rate for the preceding month of February;~~

1 ~~(c) For any benefit week commencing in July through September of a cal-~~  
 2 ~~endar year, the maximum allowed number of benefit weeks shall be based~~  
 3 ~~on the unemployment rate for the preceding month of May; and~~  
 4 ~~(d) For any benefit week commencing in October through December of a~~  
 5 ~~calendar year, the maximum allowed number of benefit weeks shall be~~  
 6 ~~based on the unemployment rate for the preceding month of August.~~

	<del>Ratio of Total Base Period Earnings to Highest Quarter Earnings</del>		<del>Full Weeks of Benefit Entitlement Adjusted By the Unemployment Rate</del>						
	<del>At Least</del>	<del>Up To</del>	<del>8% or Higher</del>	<del>7% to 7.9%</del>	<del>6% to 6.9%</del>	<del>5% to 5.9%</del>	<del>4% to 4.9%</del>	<del>3% to 3.9%</del>	<del>2.9% or Lower</del>
12	1.25	1.60	10	10	10	10	10	10	10
13	1.6001	1.80	11	10	10	10	10	10	10
14	1.8001	1.92	12	11	10	10	10	10	10
15	1.9201	2.01	13	12	11	10	10	10	10
16	2.0101	2.08	14	13	12	11	10	10	10
17	2.0801	2.14	15	14	13	12	11	10	10
18	2.1401	2.21	16	15	14	13	12	11	10
19	2.2101	2.29	17	16	15	14	13	12	11
20	2.2901	2.38	18	17	16	15	14	13	12
21	2.3801	2.49	19	18	17	16	15	14	13
22	2.4901	2.61	20	19	18	17	16	15	14
23	2.6101	2.75	21	20	19	18	17	16	15
24	2.7501	2.91	22	21	20	19	18	17	16
25	2.9101	3.10	23	22	21	20	19	18	17
26	3.1001	3.32	24	23	22	21	20	19	18
27	3.3201	3.56	25	24	23	22	21	20	19
28	3.5601	4.00	26	25	24	23	22	21	20

31 (3) (a) Any eligible individual shall be entitled during any benefit  
 32 year to a total amount of benefits equal to his weekly benefit amount  
 33 times the number of full weeks of benefits appearing in the following  
 34 table based on his ratio of total base period earnings in covered em-  
 35 ployment to highest quarter base period earnings in covered employment:

	<u>Ratio Of Total Base Period Earnings To Highest Quarter Earnings</u>	<u>Full Weeks of Benefit Entitlement</u>
	<u>At Least</u>	<u>Up To</u>
36	<u>1.2500</u>	<u>10</u>
37	<u>2.0001</u>	<u>14</u>

1        (b) In addition to the benefit provided in paragraph (a) of this subsection,  
2        any eligible individual who is eligible for fourteen (14) weeks  
3        of benefit entitlement pursuant to paragraph (a) of this subsection and  
4        whose former employer certifies that it anticipates the individual re-  
5        turning to work with such firm within sixteen (16) weeks shall be eligi-  
6        ble for an additional two (2) weeks of benefits. Such certification may  
7        be filed electronically by the employer.

8        (4) If the total wages payable to an individual for less than full-time  
9 work performed in a week claimed exceed one-half (1/2) of his weekly benefit  
10 amount, the amount of wages that exceed one-half (1/2) of the weekly benefit  
11 amount shall be deducted from the benefits payable to the claimant. For pur-  
12 poses of this subsection, severance pay shall be deemed wages, even if the  
13 claimant was required to sign a release of claims as a condition of receiving  
14 the pay from the employer. "Severance pay" means a payment or payments made  
15 to a claimant by an employer as a result of the severance of the employment  
16 relationship.

17        (5) Benefits payable to an individual shall be rounded to the next lower  
18 full dollar amount.

19        SECTION 2. This act shall be in full force and effect on and after Jan-  
20 uary 1, 2025.