

SENATE BILL NO. 604

BY SENATOR GARY SMITH

1 AN ACT

2 To amend and reenact R.S. 23:1472(19)(a), relative to unemployment insurance benefits; to
3 amend the definition of unemployment in the context of eligibility for unemployment
4 insurance benefits; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 23:1472(19)(a) is hereby amended and reenacted to read as follows:

7 §1472. Definitions

8 As used in this Chapter, the following terms shall have the ~~meaning~~
9 meanings ascribed to them in this Section, unless the context clearly indicates
10 otherwise:

11 * * *

12 (19)(a) "Unemployment"--Any individual shall be deemed to be
13 "unemployed" in any week during which he performs no services and with respect
14 to which no wages are payable to him, or in any week of less than full-time work if
15 the wages payable to him with respect to such week are less than his weekly benefit
16 amount.

17 (i) For the purpose of this Paragraph, any individual who bears a relationship
18 of spouse, mother or mother-in-law, father or father-in-law, son or step-son or
19 son-in-law, daughter or step-daughter or daughter-in-law, brother or brother-in-law,
20 sister or sister-in-law, to a principal or controlling stockholder or a principal officer
21 of a corporation, partnership, or proprietorship, or is himself a principal or
22 controlling stockholder or a principal officer of a corporation, partnership, or
23 proprietorship, shall not be deemed to be "unemployed" as provided for in this
24 Paragraph, without first providing the administrator with whatever records or
25 evidence the administrator may prescribe by regulation to provide proof and
26 justification of such unemployment. **However, the administrator shall not demand**
27 **proof of the complete dissolution of the entire enterprise in order for the**

1 employee to be deemed unemployed.

2 (ii) Any person meeting the criteria set forth in Item (i) of this
3 Subparagraph who has for the first four of the last five quarters been listed as
4 an employee and for whom unemployment insurance coverage premiums have
5 been paid for that same period of time and, who, in addition, is no longer
6 eligible to receive any remuneration or dividends from the enterprise for whom
7 he previously worked, shall be considered to have met the criteria for
8 unemployment.

9 (iii) The administrator shall further prescribe regulations applicable to
10 unemployed individuals making such distinctions in the procedures as to total
11 unemployment, part-total unemployment, partial unemployment of individuals
12 attached to their regular jobs, and other forms of short-time work, as the
13 administrator deems necessary.

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PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____