

# STATE OF NEW YORK

6791

2021-2022 Regular Sessions

## IN SENATE

May 17, 2021

Introduced by Sens. KAPLAN, COONEY -- read twice and ordered printed,  
and when printed to be committed to the Committee on Labor

AN ACT to amend the labor law, in relation to employer contributions to  
the unemployment insurance fund

The People of the State of New York, represented in Senate and Assem-  
bly, do enact as follows:

1 Section 1. Section 581-a of the labor law is amended by adding a new  
2 subdivision 3-a to read as follows:

3 3-a. (a) Notwithstanding the provisions of section five hundred eight-  
4 y-one of this title to the contrary and notwithstanding the actual size  
5 of the fund index, the rate of contribution for a qualified employer in  
6 the two thousand twenty-two fiscal year shall be the percentage shown in  
7 the column headed by the size of the fund index at two and one-half  
8 percent but less than three percent and on the same line with his or her  
9 negative or positive employer's account percentage pursuant to subdivi-  
10 sion two of section five hundred eighty-one of this title, unless using  
11 the actual size of the fund index would result in a lower rate of  
12 contribution for an employer, in which case such employer shall be  
13 liable for such lower rate of contribution.

14 (b) Notwithstanding the provisions of section five hundred eighty-one  
15 of this title to the contrary and notwithstanding the actual size of the  
16 fund index, the rate of contribution for a qualified employer in the two  
17 thousand twenty-three fiscal year shall be the percentage shown in the  
18 column headed by the size of the fund index at two percent but less than  
19 two and one-half percent and on the same line with his or her negative  
20 or positive employer's account percentage pursuant to subdivision two of  
21 section five hundred eighty-one of this title, unless using the actual  
22 size of the fund index would result in a lower rate of contribution for  
23 an employer, in which case such employer shall be liable for such lower  
24 rate of contribution.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[-] is old law to be omitted.

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1     (c) Notwithstanding the provisions of section five hundred eighty-one  
2     of this title to the contrary and notwithstanding the actual size of the  
3     fund index, the rate of contribution for a qualified employer in the two  
4     thousand twenty-four fiscal year shall be the percentage shown in the  
5     column headed by the size of the fund index at one and one-half percent  
6     but less than two percent and on the same line with his or her negative  
7     or positive employer's account percentage pursuant to subdivision two of  
8     section five hundred eighty-one of this title, unless using the actual  
9     size of the fund index would result in a lower rate of contribution for  
10    an employer, in which case such employer shall be liable for such lower  
11    rate of contribution.

12     § 2. This act shall take effect immediately.