

# STATE OF NEW YORK

6791--A

2021-2022 Regular Sessions

## IN SENATE

May 17, 2021

Introduced by Sens. KAPLAN, BIAGGI, BROOKS, COONEY, GAUGHRAN, HARCKHAM, KAMINSKY, KENNEDY, MANNION, MARTUCCI, REICHLIN-MELNICK, THOMAS -- read twice and ordered printed, and when printed to be committed to the Committee on Labor -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the labor law, in relation to employer contributions to the unemployment insurance fund and the unemployment insurance maximum benefit rate

The People of the State of New York, represented in Senate and Assembly, 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

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

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1 size of the fund index would result in a lower rate of contribution for  
2 an employer, in which case such employer shall be liable for such lower  
3 rate of contribution.

4 § 2. Subdivision 5 of section 590 of the labor law is amended by  
5 adding a new paragraph (b-1) to read as follows:

6 (b-1) Notwithstanding paragraph (b) of this subdivision, the maximum  
7 benefit shall be forty percent of the average weekly wage, until the  
8 first Monday of October, two thousand twenty-two, when the maximum bene-  
9 fit amount shall be forty-two percent of the average weekly wage.

10 § 3. This act shall take effect immediately; provided, however, that  
11 section two of this act shall take effect on the thirtieth day after it  
12 shall have become a law and shall apply to new claims filed on or after  
13 such date. Effective immediately, the addition, amendment and/or repeal  
14 of any rule or regulation necessary for the implementation of this act  
15 on its effective date are authorized to be made and completed on or  
16 before such effective date.