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:

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

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

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

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

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

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