

# STATE OF NEW YORK

6752

2023-2024 Regular Sessions

## IN ASSEMBLY

May 8, 2023

Introduced by M. of A. LUNSFORD -- read once and referred to the Committee on Labor

AN ACT to amend the labor law, in relation to increasing the unemployment insurance minimum weekly benefit amount

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

Section 1. Paragraph (a) of subdivision 5 of section 590 of the labor law, as amended by section 8 of part 0 of chapter 57 of the laws of 2013, is amended to read as follows:

(a) A claimant's weekly benefit amount shall be one twenty-sixth of the remuneration paid during the highest calendar quarter of the base period by employers, liable for contributions or payments in lieu of contributions under this article, provided the claimant has remuneration paid in all four calendar quarters during his or her base period or alternate base period, but shall not be less than six hundred fifty dollars. However, for any claimant who has remuneration paid in all four calendar quarters during his or her base period or alternate base period and whose high calendar quarter remuneration during the base period is three thousand five hundred seventy-five dollars or less, the benefit amount shall be one twenty-fifth of the remuneration paid during the highest calendar quarter of the base period by employers liable for contributions or payments in lieu of contributions under this article, but shall not be less than six hundred fifty dollars. A claimant's weekly benefit shall be one twenty-sixth of the average remuneration paid in the two highest quarters paid during the base period or alternate base period by employers liable for contributions or payments in lieu of contributions under this article when the claimant has remuneration paid in two or three calendar quarters provided however, that a claimant whose high calendar quarter is four thousand dollars or less but greater than three thousand five hundred seventy-five dollars shall have a weekly benefit amount of one twenty-sixth of such high calendar quarter, but

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

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1 shall not be less than six hundred fifty dollars. However, for any  
2 claimant who has remuneration paid in two or three calendar quarters  
3 during his or her base period or alternate base period and whose high  
4 calendar quarter remuneration during the base period is three thousand  
5 five hundred seventy-five dollars or less, the benefit amount shall be  
6 one twenty-fifth of the remuneration paid during the highest calendar  
7 quarter of the base period by employers liable for contributions or  
8 payments in lieu of contributions under this article, but shall not be  
9 less than six hundred fifty dollars. Any claimant whose high calendar  
10 quarter remuneration during the base period is more than three thousand  
11 five hundred seventy-five dollars shall not have a weekly benefit amount  
12 less than ~~[one]~~ six hundred ~~[forty-three]~~ fifty dollars. The weekly  
13 benefit amount, so computed, that is not a multiple of one dollar shall  
14 be lowered to the next multiple of one dollar. On the first Monday of  
15 September, nineteen hundred ninety-eight the weekly benefit amount shall  
16 not exceed three hundred sixty-five dollars nor be less than forty  
17 dollars, until the first Monday of September, two thousand, at which  
18 time the maximum benefit payable pursuant to this subdivision shall  
19 equal one-half of the state average weekly wage for covered employment  
20 as calculated by the department no sooner than July first, two thousand  
21 and no later than August first, two thousand, rounded down to the lowest  
22 dollar. On and after the first Monday of October, two thousand fourteen,  
23 the weekly benefit shall not be less than one hundred dollars, nor shall  
24 it exceed four hundred twenty dollars until the first Monday of October,  
25 two thousand fifteen when the maximum benefit amount shall be four  
26 hundred twenty-five dollars, until the first Monday of October, two  
27 thousand sixteen when the maximum benefit amount shall be four hundred  
28 thirty dollars, until the first Monday of October, two thousand seven-  
29 teen when the maximum benefit amount shall be four hundred thirty-five  
30 dollars, until the first Monday of October, two thousand eighteen when  
31 the maximum benefit amount shall be four hundred fifty dollars, until  
32 the first Monday of October, two thousand nineteen when the maximum  
33 benefit amount shall be thirty-six percent of the average weekly wage  
34 until the first Monday of October, two thousand twenty when the maximum  
35 benefit amount shall be thirty-eight percent of the average weekly wage,  
36 until the first Monday of October, two thousand twenty-one when the  
37 maximum benefit amount shall be forty percent of the average weekly  
38 wage, until the first Monday of October, two thousand twenty-two when  
39 the maximum benefit amount shall be forty-two percent of the average  
40 weekly wage, until the first Monday of October, two thousand twenty-  
41 three ~~[when the maximum benefit amount]~~. On and after the first of  
42 Monday of October, two thousand twenty-three, the weekly benefit shall  
43 not be less than six hundred fifty dollars, nor shall ~~[be]~~ it exceed  
44 forty-four percent of the average weekly wage, until the first Monday of  
45 October, two thousand twenty-four when the maximum benefit amount shall  
46 be forty-six percent of the average weekly wage, until the first Monday  
47 of October, two thousand twenty-five when the maximum benefit amount  
48 shall be forty-eight percent of the average weekly wage, until the first  
49 Monday of October, two thousand twenty-six and each year thereafter on  
50 the first Monday of October when the maximum benefit amount shall be  
51 fifty percent of the average weekly wage provided, however, that in no  
52 event shall the maximum benefit amount be reduced from the previous  
53 year.

54 § 2. This act shall take effect on the sixtieth day after it shall  
55 have become a law.