

# STATE OF NEW YORK

9643--A

## IN ASSEMBLY

January 21, 2026

Introduced by M. of A. VALDEZ -- read once and referred 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 authorizing a claimant to receive a dependent allowance in addition to unemployment insurance benefits

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

1 Section 1. Section 590 of the labor law is amended by adding a new  
2 subdivision 13 to read as follows:

3 13. Dependent allowance. (a) For the purposes of this subdivision, the  
4 term "dependent" shall mean:

5 (i) children eighteen years old and younger, including foster chil-  
6 dren, stepchildren, and children for whom the claimant has at least  
7 fifty percent custody in a shared custody arrangement;

8 (ii) full-time students up to the age of twenty-six;

9 (iii) nonworking adults in the household ages sixty and older; and

10 (iv) adults with disabilities in the household.

11 (b) In addition to the benefits received pursuant to this section, a  
12 claimant eligible for such benefits shall also be entitled to receive a  
13 dependent allowance. Beginning on the effective date of this subdivi-  
14 sion, such dependent allowance shall be equal to forty-five dollars per  
15 dependent per week. The amount of such dependent allowance shall  
16 increase annually according to the consumer price index on March first,  
17 by an amount determined by the department to represent the percent  
18 change in the price index published for December of the preceding year  
19 over the price index published for December of the year prior to the  
20 preceding year, adjusted to the nearest one tenth of one percent. The  
21 department shall report the annual increase of such dependent allowance  
22 to the legislature and shall publish the current dependent allowance  
23 amount in a prominent location on the department's website.

24 (c) The amount of the dependent allowance a claimant receives pursuant  
25 to this subdivision shall be considered part of such claimant's benefit  
26 amount and shall be subject to the same due process and appeal rights.

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

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1 (d) For the purpose of determining a claimant's eligibility to receive  
2 a dependent allowance pursuant to this subdivision, the department shall  
3 request information relating to whether a claimant has any dependents as  
4 part of the initial application for benefits.

5 (e) The number of dependents established for a claimant at the begin-  
6 ning of a benefit year shall remain in effect for the entirety of such  
7 benefit year.

8 (f) An individual that is determined to be a dependent of a claimant  
9 may not be considered a dependent of another claimant for purposes of a  
10 dependent allowance with respect to the same weekly benefit.

11 (e) No later than the end of the month following each completed calen-  
12 dar quarter, the department shall provide a written report to the legis-  
13 lature on dependent allowances provided pursuant to this subdivision,  
14 and shall make such report publicly available in a prominent location on  
15 the department's website. Such report shall include the following infor-  
16 mation from the immediately preceding calendar quarter, deidentified and  
17 disaggregated by race, ethnicity, gender, location and poverty level:

18 (i) the total number of claimants claiming a dependent allowance;

19 (ii) the average weekly dependent allowance amount;

20 (iii) the average number of dependents claimed by a claimant, broken  
21 down by the type of dependent; and

22 (iv) information on the number of dependent allowance appeals filed  
23 and the outcomes of such appeals.

24 (f) (i) An employer shall not be charged for a dependent allowance  
25 received by a claimant pursuant to this subdivision.

26 (ii) An employer shall not be considered an interested party with  
27 respect to a dependent allowance received by a claimant and shall not  
28 have any right to contest such dependent allowance.

29 (g) The department shall provide notice to a claimant of the weekly  
30 dependent allowance amount, the dependent or dependents established for  
31 such claimant and the calculation used to determine the amount of the  
32 dependent allowance in such claimant's monetary determination.

33 § 2. Paragraph (a) of subdivision 5 of section 590 of the labor law,  
34 as amended by section 3 of part KK of chapter 56 of the laws of 2025, is  
35 amended to read as follows:

36 (a) A claimant's weekly benefit amount shall be one twenty-sixth of  
37 the remuneration paid during the highest calendar quarter of the base  
38 period by employers, liable for contributions or payments in lieu of  
39 contributions under this article, provided the claimant has remuneration  
40 paid in all four calendar quarters during such claimant's base period or  
41 alternate base period. However, for any claimant who has remuneration  
42 paid in all four calendar quarters during such claimant's base period or  
43 alternate base period and whose high calendar quarter remuneration  
44 during the base period is three thousand five hundred seventy-five  
45 dollars or less, the benefit amount shall be one twenty-fifth of the  
46 remuneration paid during the highest calendar quarter of the base period  
47 by employers liable for contributions or payments in lieu of contribu-  
48 tions under this article. A claimant's weekly benefit shall be one  
49 twenty-sixth of the average remuneration paid in the two highest quar-  
50 ters paid during the base period or alternate base period by employers  
51 liable for contributions or payments in lieu of contributions under this  
52 article when the claimant has remuneration paid in two or three calendar  
53 quarters provided however, that a claimant whose high calendar quarter  
54 is four thousand dollars or less but greater than three thousand five  
55 hundred seventy-five dollars shall have a weekly benefit amount of one  
56 twenty-sixth of such high calendar quarter. However, for any claimant

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

43 § 3. This act shall take effect immediately.