

By: Representatives Baria, Denton

To: Workforce Development;
Appropriations

HOUSE BILL NO. 1149

1 AN ACT TO AMEND SECTION 71-5-503, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE THAT AN INDIVIDUAL'S WEEKLY BENEFIT AMOUNT FOR A
3 BENEFIT YEAR SHALL BE INCREASED ANNUALLY BY A PERCENTAGE AMOUNT
4 EQUAL TO THE UNITED STATES INFLATION RATE FOR THE PREVIOUS
5 CALENDAR YEAR ENDING ON DECEMBER 31 AS CERTIFIED BY THE EXECUTIVE
6 DIRECTOR OF THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY; TO
7 BRING FORWARD SECTION 71-5-505, MISSISSIPPI CODE OF 1972, FOR THE
8 PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

10 **SECTION 1.** Section 71-5-503, Mississippi Code of 1972, is
11 amended as follows:

12 71-5-503. An individual's weekly benefit amount for a
13 benefit year shall be one-twenty-sixth (1/26) of his or her total
14 wages for insured work paid during that quarter of his or her base
15 period in which such total wages were highest, computed to the
16 next lower multiple of One Dollar (\$1.00), if not a multiple of
17 One Dollar (\$1.00). An individual's weekly benefit amount for a
18 benefit year shall be increased annually by a percentage amount
19 equal to the United States inflation rate for the previous
20 calendar year ending on December 31 as certified by the Executive
21 Director of the Mississippi Department of Employment Security.



22 The United States inflation rate for a calendar year shall be the
23 Consumer Price Index for the calendar year for urban consumers as
24 calculated by the Bureau of Labor Statistics of the United States
25 Department of Labor.

26 On or before June 15 of each year, the total wages reported
27 on contribution reports for the preceding calendar year shall be
28 divided by the average monthly number of insured workers
29 (determined by dividing the total insured workers reported on
30 contribution reports pursuant to the regulations of the department
31 for the preceding year by twelve (12)). The average annual wage
32 thus obtained shall be divided by fifty-two (52) and the average
33 weekly wage thus determined rounded to the nearest cent. Sixty
34 percent (60%) of this amount, rounded to the nearest dollar, shall
35 constitute the maximum "weekly benefit amount" paid to any
36 individual whose benefit year commences on or after July 1 of such
37 year and prior to July 1 of the next following year; provided
38 however, that the maximum weekly benefit amount shall not exceed
39 Two Hundred Ten Dollars (\$210.00) for any benefit year that begins
40 on or after July 1, 2002, and shall not exceed Two Hundred Thirty
41 Dollars (\$230.00) for any benefit year that begins on or after
42 July 1, 2008, and shall not exceed Two Hundred Thirty-five Dollars
43 (\$235.00) for any benefit year that begins on or after July 1,
44 2009. The minimum weekly benefit amount for the individual shall
45 be Thirty Dollars (\$30.00). If an individual's weekly benefit



46 amount would compute to less than the said minimum, then such
47 individual would be entitled to no benefits.

48 An individual's weekly benefit amount, as determined at the
49 beginning of his or her benefit year, shall constitute his or her
50 weekly benefit amount throughout such benefit year.

51 * * *

52 **SECTION 2.** Section 71-5-505, Mississippi Code of 1972, is
53 brought forward as follows:

54 71-5-505. (1) For weeks beginning on or after July 1, 1991,
55 each eligible individual who is totally unemployed or part totally
56 unemployed in any week shall be paid with respect to such week a
57 benefit in an amount equal to his weekly benefit amount less that
58 part of his wages, if any, payable to him with respect to such
59 week which is in excess of Forty Dollars (\$40.00). Such
60 individuals must have been totally unemployed or part totally
61 unemployed for a waiting period of one (1) week during which he
62 earned less than his weekly benefit amount plus Forty Dollars
63 (\$40.00). Such benefit for a benefit year effective on or after
64 October 1, 1983, if not a multiple of One Dollar (\$1.00), shall be
65 computed to the next lower multiple of One Dollar (\$1.00).
66 Provided, however, that remuneration for "inactive duty training"
67 or "unit training assembly" payable to such eligible individual
68 who is a member of any of the reserve components, or remuneration
69 for jury duty pursuant to a lawfully issued summons therefor



70 payable to such eligible individual, shall not be considered wages
71 which serve to reduce the otherwise payable benefit amount.

72 In determining whether an eligible individual is unemployed
73 during a week, the date of commencing a shift shall determine the
74 week for which the earnings are deducted.

75 (2) However, the one-week waiting period described herein
76 shall be waived if the President of the United States declares a
77 major disaster with regard to individual assistance in accordance
78 with Section 401 of The Robert T. Stafford Disaster Relief and
79 Emergency Assistance Act. The department, in its discretion,
80 shall have the authority to noncharge an employer account for any
81 benefits paid for unemployment due directly to such disaster, but
82 only in those counties and/or areas identified by the disaster
83 area for individual assistance.

84 **SECTION 3.** This act shall take effect and be in force from
85 and after July 1, 2018.

