

SENATE BILL NO. 128

INTRODUCED BY E. BUTTREY

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4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING WHEN THE ACCOUNT OF AN EMPLOYER WITH AN
5 EXPERIENCE RATING MAY NOT BE CHARGED WITH RESPECT TO UNEMPLOYMENT BENEFITS PAID;
6 AMENDING SECTION 39-51-1214, MCA; AND PROVIDING AN EFFECTIVE DATE."

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8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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10 **Section 1.** Section 39-51-1214, MCA, is amended to read:
11 **"39-51-1214. Benefit payments chargeable to employer experience rating accounts.** (1) Except for
12 cost reimbursement, benefits paid must be charged to the account of each of the claimant's base period
13 employers. The benefit charged must be based on the percentage of wages paid by the employer as compared
14 to the total wages paid by all employers in the claimant's base period.

15 (2) The account of an employer with an experience rating as provided in 39-51-1213 may not be charged
16 with respect to benefits paid under the following situations:

17 (a) if paid to a worker who terminated services voluntarily ~~without good cause attributable to~~ with a
18 covered employer ~~or who had been discharged for misconduct in connection with services;~~

19 (b) if paid in accordance with the extended benefit program triggered by either national or state
20 indicators;

21 (c) if the base period employer continues to provide employment with no reduction in hours or wages;

22 (d) if benefits are paid to claimants who are in training approved under 39-51-2307;

23 (e) if the base period employer is ordered to military service, as defined in 10-1-1003;

24 (f) if benefits are paid to an employee laid off as the result of the return to work of a permanent employee
25 who:

26 (i) was called to military service, as defined in 10-1-1003; and

27 (ii) had completed 4 or more weeks of military service and exercised reemployment rights under Title 10,
28 chapter 1, part 10; ~~or~~

29 (g) if the worker separates from employment as a result of domestic violence, a sexual assault, or
30 stalking pursuant to 39-51-2111; or

1 (h) if paid to a worker who was terminated by the employer for misconduct or gross misconduct."

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3 NEW SECTION. Section 2. Effective date. [This act] is effective July 1, 2013.

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