

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

As Engrossed: S2/23/21

A Bill

HOUSE BILL 1212

5 By: Representative Ladyman
6 By: Senator Irvin
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE DIVISION OF WORKFORCE SERVICES
10 LAW; CONCERNING THE NONCHARGE OF EMPLOYER
11 CONTRIBUTIONS FOR CERTAIN UNEMPLOYMENT INSURANCE
12 CLAIMS; TO DECLARE AN EMERGENCY; AND FOR OTHER
13 PURPOSES.
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Subtitle

16 TO AMEND THE DIVISION OF WORKFORCE
17 SERVICES LAW; *CONCERNING* THE NONCHARGE OF
18 EMPLOYER CONTRIBUTIONS FOR CERTAIN
19 UNEMPLOYMENT INSURANCE CLAIMS; AND TO
20 DECLARE AN EMERGENCY.
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. Arkansas Code § 11-10-703(a), concerning employer rates and
27 separate accounts regarding an employer's unemployment benefit contributions,
28 is amended to add an additional subdivision to read as follows:

29 (7)(A) At the discretion of the director, benefits paid with
30 respect to weeks of unemployment claimed starting the week ending on April 4,
31 2020, and after may be noncharged to the separate account of each employer in
32 the base period if the benefits are paid as the direct result of:

33 (i) The Governor declaring a disaster emergency under the
34 Arkansas Emergency Services Act of 1973, § 12-75-101 et seq.; or

35 (ii) A disaster resulting in a state or federal disaster
36 declaration.



1 (B) In exercising discretion to noncharge employer accounts, the
2 director shall act in a uniform manner with respect to all charges to
3 employers for benefits resulting from a disaster emergency described in
4 subdivision (a)(7)(A)(i) of this section or a state or federal disaster
5 declaration described in subdivision (a)(7)(A)(ii) of this section.
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7 SECTION 2. DO NOT CODIFY. It is the intent of the General Assembly
8 that the effective date of this act is retroactive to April 4, 2020.
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10 SECTION 3. EMERGENCY CLAUSE. It is found and determined by the
11 General Assembly of the State of Arkansas that the uncertainty for businesses
12 in Arkansas caused by a disaster emergency has caused a threat to state
13 revenue; that a need exists to allow for the Director of the Division of
14 Workforce Services to modify employer contributions for certain unemployment
15 insurance claims during a disaster emergency; and that this act is
16 immediately necessary because state revenues and businesses in Arkansas will
17 suffer if the Director of the Division of Workforce Services is unable to
18 noncharge employer contributions as a result of a disaster emergency and it
19 is the intent of the General Assembly that this act be retroactive to prevent
20 further harm to businesses and state revenues. Therefore, an emergency is
21 declared to exist, and this act being immediately necessary for the
22 preservation of the public peace, health, and safety shall become effective
23 on:

24 (1) The date of its approval by the Governor;

25 (2) If the bill is neither approved nor vetoed by the Governor,
26 the expiration of the period of time during which the Governor may veto the
27 bill; or

28 (3) If the bill is vetoed by the Governor and the veto is
29 overridden, the date the last house overrides the veto.
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31 /s/Ladyman
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34 **APPROVED: 2/25/21**
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