

Enrolled
House Bill 2242

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Governor John A. Kitzhaber, M.D., for Employment Department)

CHAPTER

AN ACT

Relating to alternate base year claims; amending ORS 657.173; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 657.173 is amended to read:

657.173. (1)(a) Notwithstanding ORS 657.010 (1), in the case of an individual who is not eligible for benefits under ORS 657.150 (2) using the definition in ORS 657.010 (1), “base year” means the last four completed calendar quarters preceding the benefit year, **if use of this alternate definition of “base year” makes the individual eligible for benefits under ORS 657.150 (2).**

(b) Notwithstanding paragraph (a) of this subsection, a determination of eligibility under ORS 657.150 (2) may not be made using paragraph (a) of this subsection if the individual qualifies or would qualify for regular benefits under the unemployment law of another governmental jurisdiction using that jurisdiction’s standard base year.

(c) Work and earnings in a calendar quarter that is included in a claim determined to be eligible using the base year as defined in paragraph (a) of this subsection cannot be included in the base year of a subsequent claim unless the subsequent claim’s base year is extended under ORS 657.170 to include the calendar quarter.

(2)(a) Except as provided in paragraph (b) of this subsection, the definition of “base year” that applies for the purposes of determining an individual’s eligibility for benefits under ORS 657.150 applies for all purposes under this chapter related to that individual’s claim.

(b) When making a finding under ORS 657.170 (1), “base year” has the meaning given that term in ORS 657.010 (1).

(3) The Director of the Employment Department shall adopt rules necessary to carry out the provisions of this section.

SECTION 2. This 2013 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect on its passage.

Passed by House February 22, 2013

.....
Ramona J. Line, Chief Clerk of House

.....
Tina Kotek, Speaker of House

Passed by Senate May 2, 2013

.....
Peter Courtney, President of Senate

Received by Governor:

.....M,....., 2013

Approved:

.....M,....., 2013

.....
John Kitzhaber, Governor

Filed in Office of Secretary of State:

.....M,....., 2013

.....
Kate Brown, Secretary of State