Senate Study Bill 3031

Passed Senate, Date _____   Passed House, Date _____
Vote: Ayes _____ Nays _____   Vote: Ayes _____ Nays _____
                    Approved _____

A BILL FOR

1 An Act concerning the definition of gross misconduct for purposes
2   of denying unemployment compensation benefits.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 5639SC 80
5 ec/gg/14

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1 1   Section 1. Section 96.5, subsection 2, paragraph c, Code
1 2 2003, is amended to read as follows:
1 3   c. Gross misconduct is deemed to have occurred after a
1 4 claimant loses employment as a result of an act constituting
1 5 an indictable offense <u>or any offense involving the selling of</u>
1 6 <u>tobacco or alcohol to a minor</u> in connection with the
1 7 claimant's employment, provided the claimant is duly convicted
1 8 thereof or has signed a statement admitting the commission of
1 9 such an act. Determinations regarding a benefit claim may be
1 10 redetermined within five years from the effective date of the
1 11 claim. Any benefits paid to a claimant prior to a
1 12 determination that the claimant has lost employment as a
1 13 result of such act shall not be considered to have been
1 14 accepted by the claimant in good faith.
1 15   EXPLANATION
1 16   This bill expands the definition of gross misconduct for
1 17 purposes of denying unemployment compensation benefits to an
1 18 individual who has been discharged from employment for any
1 19 offense involving the selling of tobacco or alcohol to a minor
1 20 in connection with the individual's employment. Under current
1 21 law, gross misconduct only occurs if the individual commits an
1 22 indictable offense. Code section 801.4 defines an indictable
1 23 offense as any offense which is not a simple misdemeanor.
1 24 LSB 5639SC 80
1 25 ec/gg/14
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