

**House File 114 - Introduced**

HOUSE FILE 114

BY HUNTER

**A BILL FOR**

1 An Act relating to the eligibility of certain individuals  
2 employed by educational institutions for unemployment  
3 insurance benefits between two successive academic years or  
4 terms.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 96.4, subsection 5, paragraph b, Code  
2 2017, is amended by striking the paragraph.

3 Sec. 2. Section 96.4, subsection 5, paragraph c, Code 2017,  
4 is amended to read as follows:

5 c. With respect to services for an educational institution  
6 in any capacity under paragraph "a" or ~~"b"~~, benefits shall not  
7 be paid to an individual for any week of unemployment which  
8 begins during an established and customary vacation period  
9 or holiday recess if the individual performs the services in  
10 the period immediately before such vacation period or holiday  
11 recess, and the individual has reasonable assurance that the  
12 individual will perform the services in the period immediately  
13 following such vacation period or holiday recess.

14 Sec. 3. STATE MANDATE FUNDING SPECIFIED. In accordance  
15 with section 25B.2, subsection 3, the state cost of requiring  
16 compliance with any state mandate included in this Act shall  
17 be paid by a school district from state school foundation aid  
18 received by the school district under section 257.16. This  
19 specification of the payment of the state cost shall be deemed  
20 to meet all of the state funding-related requirements of  
21 section 25B.2, subsection 3, and no additional state funding  
22 shall be necessary for the full implementation of this Act  
23 by and enforcement of this Act against all affected school  
24 districts.

25

#### EXPLANATION

26 The inclusion of this explanation does not constitute agreement with  
27 the explanation's substance by the members of the general assembly.

28 Current law provides that an individual is not eligible  
29 for unemployment insurance benefits based on service in a  
30 capacity that is not an instructional, research, or principal  
31 administrative capacity for an educational institution for any  
32 week of unemployment that begins during the period between two  
33 successive academic years or terms, if the individual performs  
34 the services in the first of such academic years or terms and  
35 has reasonable assurance that the individual will perform

1 services for the second of such academic years or terms. If  
2 the individual is not offered an opportunity to perform the  
3 services for an educational institution for the second of  
4 such academic years or terms, the individual is entitled to  
5 retroactive payments of such benefits.

6 This bill strikes the provision.

7 The bill may include a state mandate as defined in Code  
8 section 25B.3. The bill requires that the state cost of  
9 any state mandate included in the bill be paid by a school  
10 district from state school foundation aid received by the  
11 school district under Code section 257.16. The specification  
12 is deemed to constitute state compliance with any state mandate  
13 funding-related requirements of Code section 25B.2. The  
14 inclusion of this specification is intended to reinstate the  
15 requirement of political subdivisions to comply with any state  
16 mandates included in the bill.