

**House File 2238 - Introduced**

HOUSE FILE 2238

BY LOHSE

**A BILL FOR**

1 An Act relating to unemployment benefit maximum duration  
2 amounts and establishing a diminished salary offset.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 96.3, subsection 5, paragraph a, Code  
2 2022, is amended to read as follows:

3 *a. Duration of benefits.* The maximum total amount of  
4 benefits payable to an eligible individual during a benefit  
5 year shall not exceed the total of the wage credits accrued to  
6 the individual's account during the individual's base period,  
7 or ~~twenty-six~~ sixteen times the individual's weekly benefit  
8 amount, whichever is the lesser. The director shall maintain  
9 a separate account for each individual who earns wages in  
10 insured work. The director shall compute wage credits for  
11 each individual by crediting the individual's account with  
12 one-third of the wages for insured work paid to the individual  
13 during the individual's base period. However, the director  
14 shall recompute wage credits for an individual who is laid  
15 off due to the individual's employer going out of business at  
16 the factory, establishment, or other premises at which the  
17 individual was last employed, by crediting the individual's  
18 account with one-half, instead of one-third, of the wages for  
19 insured work paid to the individual during the individual's  
20 base period. Benefits paid to an eligible individual shall  
21 be charged against the base period wage credits in the  
22 individual's account which have not been previously charged,  
23 in the inverse chronological order as the wages on which the  
24 wage credits are based were paid. However if the state "off"  
25 indicator is in effect and if the individual is laid off due to  
26 the individual's employer going out of business at the factory,  
27 establishment, or other premises at which the individual was  
28 last employed, the maximum benefits payable shall be extended  
29 to ~~thirty-nine~~ twenty-six times the individual's weekly benefit  
30 amount, but not to exceed the total of the wage credits accrued  
31 to the individual's account.

32 Sec. 2. Section 96.3, Code 2022, is amended by adding the  
33 following new subsection:

34 NEW SUBSECTION. 5A. *Diminished salary offset.* If an  
35 individual receiving benefits accepts an offer of employment

1 prior to the exhausting of all benefits for the individual's  
2 benefit year and the gross weekly salary is less than the  
3 individual's weekly benefit amount, the individual shall be  
4 eligible to receive an amount equal to the difference between  
5 the individual's gross weekly salary and the individual's  
6 weekly benefit amount. Benefits shall be exhausted when the  
7 individual's gross weekly salary paid plus benefits received  
8 equal or are greater than the maximum total amount of benefits  
9 payable to the individual during the benefit year.

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EXPLANATION

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The inclusion of this explanation does not constitute agreement with

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the explanation's substance by the members of the general assembly.

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This bill relates to unemployment benefit maximum durations  
14 and establishes a diminished salary offset.

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Under current law, the maximum total amount of unemployment  
16 benefits payable to an eligible individual is the lesser of the  
17 wage credits accrued in an individual's account during a base  
18 period, 26 times the individual's weekly benefit amount, or 39  
19 times the individual's weekly benefit amount if the state "off"  
20 indicator is in effect and the individual is laid off due to  
21 the individual's employer going out of business at the factory,  
22 establishment, or other premises at which the individual was  
23 last employed. The bill changes the maximum to the lesser of  
24 wage credits accrued in an individual's account during a base  
25 period, 16 times the individual's weekly benefit amount, or 26  
26 times the individual's weekly benefit amount if the state "off"  
27 indicator is in effect and the individual is laid off due to  
28 the individual's employer going out of business at the factory,  
29 establishment, or other premises at which the individual was  
30 last employed.

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The bill establishes a diminished salary offset whereby an  
32 individual who accepts employment with a gross weekly salary  
33 less than the individual's weekly unemployment benefit amount  
34 may receive an amount equal to the difference between the  
35 individual's gross weekly salary and the individual's weekly

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1 benefit amount if the individual accepts such employment prior  
2 to exhausting the individual's benefits for the individual's  
3 benefit year. The individual's benefits shall be exhausted  
4 when the individual's gross weekly salary paid plus benefits  
5 received are equal to or greater than the maximum total amount  
6 of benefits payable to the individual during the benefit year.