

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

**Enrolled
Committee Substitute
for
Senate Bill 841**

BY SENATOR WOODRUM

[Passed March 9, 2024; in effect 90 days from
passage (June 7, 2024)]

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

2024 MAR 28 A 9:02

FILED

SB841

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1 AN ACT to amend and reenact §21A-1A-28 of the Code of West Virginia, 1931, as amended; to
2 amend and reenact §21A-6-1 and §21A-6-10 of said code; to amend said code by adding
3 thereto an new section, designated §21A-6-1d; to amend and reenact §21A-6A-4 and
4 §21A-6A-5 of said code; and to amend §21A-6B-6 of said code; all relating to the amount
5 of unemployment taxes and benefits; removing definitions; modifying the calculation of the
6 taxable wage base; modifying the maximum benefit rate; requiring work search activities
7 to qualify for unemployment benefits; defining what constitutes work search activities;
8 mandating submittal of proof of work search activities; providing for verification of work
9 search activities; granting commissioner of Workforce West Virginia discretion in
10 verification of work search activities; mandating establishment of process to refer
11 individuals seeking unemployment benefits to job opportunities; requiring individuals
12 receiving referrals to suitable work to apply for and accept that work; mandating employers
13 to report refusal of offer of employment to commissioner and other matters; allowing
14 individuals who accept part-time non-suitable employment to receive unemployment
15 benefits without reduction for wages under certain circumstances; making certain
16 individuals applying for or receiving unemployment benefits exempt from work search
17 requirements; establishing process for notification of work search activity requirements;
18 requiring rulemaking; setting internal effective dates; modifying the total extended benefit
19 amount; and modifying the short-time compensation weekly benefit amount.

Be it enacted by the Legislature of West Virginia:

ARTICLE 1A. DEFINITIONS.

§21A-1A-28. Wages.

1 (a) "Wages" means all remuneration for personal service, including commissions,
2 gratuities customarily received by an individual in the course of employment from persons other
3 than the employing unit, as long as such gratuities equal or exceed an amount of not less than
4 \$20 each month and which are required to be reported to the employer by the employee, bonuses

5 and the cash value of all remuneration in any medium other than cash except for agricultural labor
6 and domestic service. The term "wages" includes remuneration for service rendered to the state
7 as a member of the state National Guard or Air National Guard only when serving on a temporary
8 basis pursuant to a call made by the Governor under §15-1D-1 and §15-1D-2 of this code.

9 (b) The term "wages" does not include:

10 (1) That part of the remuneration which, after remuneration equal to \$9,500 is paid during
11 a calendar year to an individual by an employer or his or her predecessor with respect to
12 employment during any calendar year, is paid to such individual by such employer during such
13 calendar year unless that part of the remuneration is subject to a tax under a federal law imposing
14 a tax against which credit may be taken for contributions required to be paid into a state
15 unemployment fund. For the purposes of this section, the term "employment" includes service
16 constituting employment under any unemployment compensation law of another state; or which
17 as a condition for full tax credit against the tax imposed by the federal Unemployment Tax Act is
18 required to be covered under this chapter; and, except that for the purposes of §21A-6-1, §21A-
19 6-10, §21A-6-11, and §21A-6-13 of this code, all remuneration earned by an individual in
20 employment shall be credited to the individual and included in his or her computation of base
21 period wages: *Provided*, That the remuneration paid to an individual by an employer with respect
22 to employment in another state or other states upon which contributions were required of and
23 paid by such employer under an unemployment compensation law of such other state or states
24 shall be included as a part of the remuneration equal to the amounts of \$9,500. In applying such
25 limitation on the amount of remuneration that is taxable, an employer shall be accorded the benefit
26 of all or any portion of such amount which may have been paid by its predecessor or
27 predecessors: *Provided, however*, That if the definition of the term "wages" as contained in
28 Section 3306(b) of the Internal Revenue Code of 1954, as amended, is amended to include
29 remuneration in excess of \$9,500 paid to an individual by an employer under the federal
30 Unemployment Tax Act during any calendar year, wages for the purposes of this definition shall

31 include remuneration paid in a calendar year to an individual by an employer subject to this
32 chapter or his or her predecessor with respect to employment during any calendar year up to an
33 amount equal to the amount of remuneration taxable under the federal Unemployment Tax Act;

34 (2) The amount of any payment made (including any amount paid by an employer for
35 insurance or annuities, or into a fund, to provide for any such payment) to, or on behalf of, an
36 individual in its employ or any of his or her dependents, under a plan or system established by an
37 employer which makes provision for individuals in its employ generally (or for such individuals
38 and their dependents), or for a class or classes of such individuals (or for a class or classes of
39 such individuals and their dependents) on account of: (A) Retirement; or (B) sickness or accident
40 disability payments made to an employee under an approved state workers' compensation law;
41 or (C) medical or hospitalization expenses in connection with sickness or accident disability; or
42 (D) death;

43 (3) Any payment made by an employer to an individual in its employ (including any amount
44 paid by an employer for insurance or annuities, or into a fund, to provide for any such payment)
45 on account of retirement;

46 (4) Any payment made by an employer on account of sickness or accident disability, or
47 medical or hospitalization expenses in connection with sickness or accident disability to, or on
48 behalf of, an individual in its employ after the expiration of six calendar months following the last
49 calendar month in which such individual worked for such employer;

50 (5) Any payment made by an employer to, or on behalf of, an individual in its employ or
51 his or her beneficiary: (A) From or to a trust described in Section 401(a) which is exempt from tax
52 under Section 501(a) of the federal Internal Revenue Code at the time of such payments unless
53 such payment is made to such individual as an employee of the trust as remuneration for services
54 rendered by such individual and not as a beneficiary of the trust; or (B) under or to an annuity
55 plan which, at the time of such payment, is a plan described in Section 403(a) of the federal
56 Internal Revenue Code;

57 (6) The payment by an employer of the tax imposed upon an employer under Section 3101
58 of the federal Internal Revenue Code with respect to remuneration paid to an employee for
59 domestic service in a private home or the employer of agricultural labor;

60 (7) Remuneration paid by an employer in any medium other than cash to an individual in
61 its employ for service not in the course of the employer's trade or business;

62 (8) Any payment (other than vacation or sick pay) made by an employer to an individual
63 in its employ after the month in which he or she attains the age of 65 years if he or she did not
64 work for the employer in the period for which such payment is made;

65 (9) Payments, not required under any contract of hire, made to an individual with respect
66 to his or her period of training or service in the armed forces of the United States by an employer
67 by which such individual was formerly employed; and

68 (10) Vacation pay, severance pay or savings plans received by an individual before or
69 after becoming totally or partially unemployed but earned prior to becoming totally or partially
70 unemployed: *Provided*, That the term totally or partially unemployed does not include: (A)
71 Employees who are on vacation by reason of the request of the employees or their duly authorized
72 agent, for a vacation at a specific time, and which request by the employees or their agent is
73 acceded to by their employer; (B) employees who are on vacation by reason of the employer's
74 request provided they are so informed at least 90 days prior to such vacation; or (C) employees
75 who are on vacation by reason of the employer's request where such vacation is in addition to the
76 regular vacation and the employer compensates such employee at a rate equal to or exceeding
77 their regular daily rate of pay during the vacation period.

78 (c) The reasonable cash value of remuneration in any medium other than cash shall be
79 estimated and determined in accordance with rules prescribed by the commissioner, except for
80 remuneration other than cash for services performed in agricultural labor and domestic service.

81 (d) The amendments made to this section during the 2024 Regular Session shall
82 become effective July 1, 2024.

ARTICLE 6. EMPLOYEE ELIGIBILITY; BENEFITS.

§21A-6-1. Eligibility qualifications.

1 An unemployed individual shall be eligible to receive benefits only if the commissioner
2 finds that:

3 (1) He or she has registered for work at and thereafter continues to report at an
4 employment office in accordance with the regulations of the commissioner;

5 (2) He or she has made a claim for benefits in accordance with the provisions of article
6 seven of this chapter §21A-7-1 *et seq.* of this code and has furnished his or her Social Security
7 number, or numbers if he or she has more than one such number;

8 (3) He or she is able to work and is available for full-time work for which he or she is fitted
9 by prior training or experience and is actively seeking work as defined in §21A-6-1d of this code;

10 (4) He or she has been totally or partially unemployed during his or her benefit year for a
11 waiting period of one-week prior to the week for which he or she claims benefits for total or partial
12 unemployment;

13 (5) He or she has within his or her base period been paid wages for employment equal to
14 not less than \$2,200 and must have earned wages in more than one quarter of his or her base
15 period or, if he or she is not eligible under his or her base period, has within his or her alternative
16 base period been paid wages for employment equal to not less than \$2,200 and must have earned
17 wages in more than one quarter of his or her alternative base period; and

18 (6) He or she participates in reemployment services as defined in §21A-6-1d of this code,
19 such as job search assistance services, if the individual has been determined to be likely to
20 exhaust regular benefits and needs reemployment services pursuant to a profiling system
21 established by the commissioner, unless the commissioner determines that:

22 (A) The individual has completed such services; or

23 (B) There is justifiable cause for the claimant's failure to participate in such services.

24 The amendments made to this section during the 2024 Regular Session shall become
25 effective July 1, 2024.

§21A-6-1d. Jobs and Reemployment Act.

1 (a) In addition to compliance with all other eligibility requirements, an individual shall be
2 eligible, and shall remain eligible, for unemployment benefits only if he or she actively seeks, and
3 continues to seek, work by conducting at least four work search activities weekly, defined as:

4 (1) Registering for work with the state's labor exchange system, placement firm, temporary
5 work agencies, or educational institution with job placement offices;

6 (2) Logging on and looking for work in the state's labor exchange or other online job
7 matching system;

8 (3) Using reemployment services in job centers or completing similar online or self-service
9 activities, including, but not limited to, obtaining and using labor market and career information,
10 participating in Reemployment Services and Eligibility Assessment activities, participating in skills
11 assessment for occupational matching, instructional workshops, or other specialized activities;

12 (4) Completing job applications for employers that have, or are reasonably expected to
13 have, job openings, or following through on job referrals or job development attempts, as directed
14 by Workforce West Virginia staff;

15 (5) Applying for or participating in employment and training services provided by partner
16 programs in job centers;

17 (6) Participating in work-related networking events, such as job clubs, job fairs, industry
18 association events, or networking groups;

19 (7) Making contacts with, or in-person visits to, employers that have, or are reasonably
20 expected to have, job openings;

21 (8) Taking a civil service examination;

22 (9) Going on interviews with employers, either in-person or virtually; or

23 (10) Performing any other work search activities prescribed or allowed by rules
24 promulgated by Workforce West Virginia.

25 (b) The commissioner may:

26 (1) Require an individual, at the time of application for unemployment benefits and weekly
27 thereafter, to provide proof of all his or her work search activities;

28 (2) Verify submissions of proof of work search activities by individuals applying for or
29 receiving unemployment benefits; and

30 (3) Determine any individual who fails to perform work search activities or provide proof of
31 work search activities as required by this section, ineligible to receive unemployment benefits
32 unless the individual can reasonably explain his or her failure to do so or timely remedy the failure
33 to provide proof of his or her work search activity.

34 (c) The commissioner shall have discretion to determine the sufficiency of the proof of
35 work search activities submitted, the explanation of a failure to submit such proof, the provision
36 of such proof after an inaccuracy in the proof provided is identified, and whether an individual has
37 otherwise complied with the requirements of this section.

38 (d) The commissioner shall, utilizing existing resources:

39 (1) Establish a process by which Workforce West Virginia will share open positions
40 submitted to, or posted by, the Division of Personnel or any other state-administered job board
41 by employers directly with individuals applying for or receiving unemployment benefits; and

42 (2) Establish a process by which, for the purpose of helping individuals applying for or
43 receiving unemployment benefits secure suitable work, Workforce West Virginia shall refer
44 individuals applying for or receiving unemployment benefits to such open positions, including
45 facilitating contact between employers and those individuals, and monitoring whether those
46 individuals are sufficiently responsive to a referral.

47 (e) An individual applying for or receiving unemployment benefits who receives referrals
48 from Workforce West Virginia to a job or jobs considered to be suitable, as that term is defined in

49 this chapter, shall apply for that job or those jobs within one-week of receiving the referrals and
50 accept employment in suitable work if offered.

51 (f) Employers shall report the refusal of any individual who is receiving unemployment
52 benefits and who receives job referrals from Workforce West Virginia to accept an offer of
53 employment to the commissioner and also report those that accept employment and either leave
54 or are dismissed from that employment within six weeks of the start date of that employment. The
55 report shall be made in writing in a manner prescribed by the commissioner and shall be signed
56 by the employer. The report shall become part of the file of the individual's claim for benefits.

57 (g) Individuals receiving unemployment benefits who accept a referral to a part-time open
58 position or otherwise accept part-time employment for which the wages are less than his or her
59 weekly benefit rate, shall continue to receive unemployment benefits without reduction for those
60 wages for the duration of his or her benefits period.

61 (h) With the exception of individuals who have received or been served with a summons
62 for jury duty or are serving on a jury in any court of this state, the United States, or any state of
63 the United States; are receiving vocational training as described in the provisions of §21A-6-4 of
64 this code; are partially unemployed and are receiving low-earnings reports from their employer;
65 are eligible to receive short-time compensation under a work-sharing plan as described in §21A-
66 6B-5 of this code; or who are members in good standing of a union that refers its members to
67 employment from a union hall; all individuals applying for or receiving unemployment benefits
68 shall be subject to the requirements of this section, including, but not limited to, individuals who
69 are seasonally unemployed or laid off subject to recall by their employer.

70 (i) Workforce West Virginia shall notify individuals seeking benefits, at the time an initial
71 claim is filed and at any other time during the benefit year that the requirements substantively
72 change, of the obligation to actively seek work. Delivery of the notification shall be made by the
73 method selected by the individual seeking benefits, and may include United States mail, email,
74 online mailbox, or text message. The notification shall include, at a minimum, the types of work

75 search activities that are acceptable; the number of work search activities that are required in any
 76 week; the requirement that work search activities be documented; and the requirement to apply,
 77 and accept if offered, suitable jobs referred by the agency.

78 (j) The commissioner shall promulgate rules for legislative approval in accordance with the
 79 provisions of §29A-3-1 *et seq.* of this code.

80 (k) The provisions of this section shall become effective July 1, 2024.

§21A-6-10. Benefit rate — total unemployment;

1 (a) Each eligible individual who is totally unemployed in any week shall be paid benefits
 2 with respect to that week at the weekly rate appearing in Column (C) in the benefit table in this
 3 section, on the line on which in Column (A) there is indicated the employee's wage class, except
 4 as otherwise provided under the term "total and partial unemployment" in §21A-1A-27 of this
 5 code. The employee's wage class shall be determined by his or her base period wages as shown
 6 in Column (B) in the benefit table. The right of an employee to receive benefits shall not be
 7 prejudiced nor the amount thereof be diminished by reason of failure by an employer to pay either
 8 the wages earned by the employee or the contribution due on such wages.

9 (b) The maximum benefit for each wage class shall be equal to 26 times the weekly benefit
 10 rate.

11 **BENEFIT TABLE**

12	A		B		C	
13	WAGE		WAGES IN		WEEKLY	MAXIMUM
14	CLASS		BASE PERIOD		BENEFIT RATE	BENEFIT RATE
15		Under	\$ 2,200.00		Ineligible	
16	1	\$2,200.00	-	2,359.99	24.00	624.00
17	2	2,350.00	-	2,499.99	25.00	650.00
18	3	2,500.00	-	2,649.99	27.00	702.00
19	4	2,650.00	-	2,799.99	28.00	728.00

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20	5	2,800.00	-	2,949.99	30.00	780.00
21	6	2,950.00	-	3,099.99	31.00	806.00
22	7	3,100.00	-	3,249.99	33.00	858.00
23	8	3,250.00	-	3,399.99	35.00	910.00
24	9	3,400.00	-	3,549.99	36.00	936.00
25	10	3,550.00	-	3,699.99	38.00	988.00
26	11	3,700.00	-	3,849.99	39.00	1,014.00
27	12	3,850.00	-	3,999.99	41.00	1,066.00
28	13	4,000.00	-	4,149.99	43.00	1,118.00
29	14	4,150.00	-	4,299.99	44.00	1,144.00
30	15	4,300.00	-	4,449.99	46.00	1,196.00
31	16	4,450.00	-	4,599.99	47.00	1,222.00
32	17	4,600.00	-	4,749.99	49.00	1,274.00
33	18	4,750.00	-	4,899.99	51.00	1,326.00
34	19	4,900.00	-	5,049.99	52.00	1,352.00
35	20	5,050.00	-	5,199.99	54.00	1,404.00
36	21	5,200.00	-	5,349.99	55.00	1,430.00
37	22	5,350.00	-	5,499.99	57.00	1,482.00
38	23	5,500.00	-	5,649.99	58.00	1,508.00
39	24	5,650.00	-	5,799.99	60.00	1,560.00
40	25	5,800.00	-	5,949.99	62.00	1,612.00
41	26	5,950.00	-	6,099.99	63.00	1,638.00
42	27	6,100.00	-	6,249.99	65.00	1,690.00
43	28	6,250.00	-	6,399.99	66.00	1,716.00
44	29	6,400.00	-	6,549.99	68.00	1,768.00
45	30	6,550.00	-	6,699.99	70.00	1,820.00

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46	31	6,700.00	-	6,849.99	71.00	1,846.00
47	32	6,850.00	-	6,999.99	73.00	1,898.00
48	33	7,000.00	-	7,149.99	74.00	1,924.00
49	34	7,150.00	-	7,299.99	76.00	1,976.00
50	35	7,300.00	-	7,449.99	78.00	2,028.00
51	36	7,450.00	-	7,599.99	79.00	2,054.00
52	37	7,600.00	-	7,749.99	81.00	2,106.00
53	38	7,750.00	-	7,899.99	82.00	2,132.00
54	39	7,900.00	-	8,049.99	84.00	2,184.00
55	40	8,050.00	-	8,199.99	85.00	2,210.00
56	41	8,200.00	-	8,349.99	87.00	2,262.00
57	42	8,350.00	-	8,499.99	89.00	2,314.00
58	43	8,500.00	-	8,649.99	90.00	2,340.00
59	44	8,650.00	-	8,799.99	92.00	2,392.00
60	45	8,800.00	-	8,949.99	93.00	2,418.00
61	46	8,950.00	-	9,099.99	95.00	2,470.00
62	47	9,100.00	-	9,249.99	97.00	2,522.00
63	48	9,250.00	-	9,399.99	98.00	2,548.00
64	49	9,400.00	-	9,549.99	100.00	2,600.00
65	50	9,550.00	-	9,699.99	101.00	2,626.00
66	51	9,700.00	-	9,849.99	103.00	2,678.00
67	52	9,850.00	-	9,999.99	104.00	2,704.00
68	53	10,000.00	-	10,149.99	106.00	2,756.00
69	54	10,150.00	-	10,299.99	108.00	2,808.00
70	55	10,300.00	-	10,449.99	109.00	2,834.00
71	56	10,450.00	-	10,599.99	111.00	2,886.00

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72	57	10,600.00	-	10,749.99	112.00	2,912.00
73	58	10,750.00	-	10,899.99	114.00	2,964.00
74	59	10,900.00	-	11,049.99	116.00	3,016.00
75	60	11,050.00	-	11,199.99	117.00	3,042.00
76	61	11,200.00	-	11,349.99	119.00	3,094.00
77	62	11,350.00	-	11,499.99	120.00	3,120.00
78	63	11,500.00	-	11,649.99	122.00	3,172.00
79	64	11,650.00	-	11,799.99	124.00	3,224.00
80	65	11,800.00	-	11,949.99	125.00	3,250.00
81	66	11,950.00	-	12,099.99	127.00	3,302.00
82	67	12,100.00	-	12,249.99	128.00	3,328.00
83	68	12,250.00	-	12,399.99	130.00	3,380.00
84	69	12,400.00	-	12,549.99	131.00	3,406.00
85	70	12,550.00	-	12,699.99	133.00	3,458.00
86	71	12,700.00	-	12,849.99	135.00	3,510.00
87	72	12,850.00	-	12,999.99	136.00	3,536.00
88	73	13,000.00	-	13,149.99	138.00	3,588.00
89	74	13,150.00	-	13,299.99	139.00	3,614.00
90	75	13,300.00	-	13,449.99	141.00	3,666.00
91	76	13,450.00	-	13,599.99	143.00	3,718.00
92	77	13,600.00	-	13,749.99	144.00	3,744.00
93	78	13,750.00	-	13,899.99	146.00	3,796.00
94	79	13,900.00	-	14,049.99	147.00	3,822.00
95	80	14,050.00	-	14,199.99	149.00	3,874.00
96	81	14,200.00	-	14,349.99	150.00	3,900.00
97	82	14,350.00	-	14,499.99	152.00	3,952.00

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98	83	14,500.00	-	14,649.99	154.00	4,004.00
99	84	14,650.00	-	14,799.99	155.00	4,030.00
100	85	14,800.00	-	14,949.99	157.00	4,082.00
101	86	14,950.00	-	15,099.99	158.00	4,108.00
102	87	15,100.00	-	15,249.99	160.00	4,160.00
103	88	15,250.00	-	15,399.99	162.00	4,212.00
104	89	15,400.00	-	15,549.99	163.00	4,238.00
105	90	15,550.00	-	15,699.99	165.00	4,290.00
106	91	15,700.00	-	15,849.99	166.00	4,316.00
107	92	15,850.00	-	15,999.99	168.00	4,368.00
108	93	16,000.00	-	16,149.99	170.00	4,420.00
109	94	16,150.00	-	16,299.99	171.00	4,446.00
110	95	16,300.00	-	16,449.99	173.00	4,498.00
111	96	16,450.00	-	16,599.99	174.00	4,524.00
112	97	16,600.00	-	16,749.99	176.00	4,576.00
113	98	16,750.00	-	16,899.99	177.00	4,602.00
114	99	16,900.00	-	17,049.99	179.00	4,654.00
115	100	17,050.00	-	17,199.99	181.00	4,706.00
116	101	17,200.00	-	17,349.99	182.00	4,732.00
117	102	17,350.00	-	17,499.99	184.00	4,784.00
118	103	17,500.00	-	17,649.99	185.00	4,810.00
119	104	17,650.00	-	17,799.99	187.00	4,862.00
120	105	17,800.00	-	17,949.99	189.00	4,914.00
121	106	17,950.00	-	18,099.99	190.00	4,940.00
122	107	18,100.00	-	18,249.99	192.00	4,992.00
123	108	18,250.00	-	18,399.99	193.00	5,018.00

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124	109	18,400.00	-	18,549.99	195.00	5,070.00
125	110	18,550.00	-	18,699.99	196.00	5,096.00
126	111	18,700.00	-	18,849.99	198.00	5,148.00
127	112	18,850.00	-	18,999.99	200.00	5,200.00
128	113	19,000.00	-	19,149.99	201.00	5,226.00
129	114	19,150.00	-	19,299.99	203.00	5,278.00
130	115	19,300.00	-	19,449.99	204.00	5,304.00
131	116	19,450.00	-	19,599.99	206.00	5,356.00
132	117	19,600.00	-	19,749.99	208.00	5,408.00
133	118	19,750.00	-	19,899.99	209.00	5,434.00
134	119	19,900.00	-	20,049.99	211.00	5,486.00
135	120	20,050.00	-	20,199.99	212.00	5,512.00
136	121	20,200.00	-	20,349.99	214.00	5,564.00
137	122	20,350.00	-	20,499.99	216.00	5,616.00
138	123	20,500.00	-	20,649.99	217.00	5,642.00
139	124	20,650.00	-	20,799.99	219.00	5,694.00
140	125	20,800.00	-	20,949.99	220.00	5,720.00
141	126	20,950.00	-	21,099.99	222.00	5,772.00
142	127	21,100.00	-	21,249.99	223.00	5,798.00
143	128	21,250.00	-	21,399.99	225.00	5,850.00
144	129	21,400.00	-	21,549.99	227.00	5,902.00
145	130	21,550.00	-	21,699.99	228.00	5,928.00
146	131	21,700.00	-	21,849.99	230.00	5,980.00
147	132	21,850.00	-	21,999.99	231.00	6,006.00
148	133	22,000.00	-	22,149.99	233.00	6,058.00
149	134	22,150.00	-	22,299.99	235.00	6,110.00

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150	135	22,300.00	-	22,449.99	236.00	6,136.00
151	136	22,450.00	-	22,599.99	238.00	6,188.00
152	137	22,600.00	-	22,749.99	239.00	6,214.00
153	138	22,750.00	-	22,899.99	241.00	6,266.00
154	139	22,900.00	-	23,049.99	243.00	6,318.00
155	140	23,050.00	-	23,199.99	244.00	6,344.00
156	141	23,200.00	-	23,349.99	246.00	6,396.00
157	142	23,350.00	-	23,499.99	247.00	6,422.00
158	143	23,500.00	-	23,649.99	249.00	6,474.00
159	144	23,650.00	-	23,799.99	250.00	6,500.00
160	145	23,800.00	-	23,949.99	252.00	6,552.00
161	146	23,950.00	-	24,099.99	254.00	6,604.00
162	147	24,100.00	-	24,249.99	255.00	6,630.00
163	148	24,250.00	-	24,399.99	257.00	6,682.00
164	149	24,400.00	-	24,549.99	258.00	6,708.00
165	150	24,550.00	-	24,699.99	260.00	6,760.00
166	151	24,700.00	-	24,849.99	262.00	6,812.00
167	152	24,850.00	-	24,999.99	263.00	6,838.00
168	153	25,000.00	-	25,149.99	265.00	6,890.00
169	154	25,150.00	-	25,299.99	266.00	6,916.00
170	155	25,300.00	-	25,449.99	268.00	6,968.00
171	156	25,450.00	-	25,599.99	269.00	6,994.00
172	157	25,600.00	-	25,749.99	271.00	7,046.00
173	158	25,750.00	-	25,899.99	273.00	7,098.00
174	159	25,900.00	-	26,049.99	274.00	7,124.00
175	160	26,050.00	-	26,199.99	276.00	7,176.00

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176	161	26,200.00	-	26,349.99	277.00	7,202.00
177	162	26,350.00	-	26,499.99	279.00	7,254.00
178	163	26,500.00	-	26,649.99	281.00	7,306.00
179	164	26,650.00	-	26,799.99	282.00	7,332.00
180	165	26,800.00	-	26,949.99	284.00	7,384.00
181	166	26,950.00	-	27,099.99	285.00	7,410.00
182	167	27,100.00	-	27,249.99	287.00	7,462.00
183	168	27,250.00	-	27,399.99	289.00	7,514.00
184	169	27,400.00	-	27,549.99	290.00	7,540.00
185	170	27,550.00	-	27,699.99	292.00	7,592.00
186	171	27,700.00	-	27,849.99	293.00	7,618.00
187	172	27,850.00	-	27,999.99	295.00	7,670.00
188	173	28,000.00	-	28,149.99	296.00	7,696.00
189	174	28,150.00	-	28,299.99	298.00	7,748.00
190	175	28,300.00	-	28,449.99	300.00	7,800.00
191	176	28,450.00	-	28,599.99	301.00	7,826.00
192	177	28,600.00	-	28,749.99	303.00	7,878.00
193	178	28,750.00	-	28,899.99	304.00	7,904.00
194	179	28,900.00	-	29,049.99	306.00	7,956.00
195	180	29,050.00	-	29,199.99	308.00	8,008.00
196	181	29,200.00	-	29,349.99	309.00	8,034.00
197	182	29,350.00	-	29,499.99	311.00	8,086.00
198	183	29,500.00	-	29,649.99	312.00	8,112.00
199	184	29,650.00	-	29,799.99	314.00	8,164.00
200	185	29,800.00	-	29,949.99	315.00	8,190.00
201	186	29,950.00	-	30,099.99	317.00	8,242.00

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202	187	30,100.00	-	30,249.99	319.00	8,294.00
203	188	30,250.00	-	30,399.99	320.00	8,320.00
204	189	30,400.00	-	30,549.99	322.00	8,372.00
205	190	30,550.00	-	30,699.99	323.00	8,398.00
206	191	30,700.00	-	30,849.99	325.00	8,450.00
207	192	30,850.00	-	30,999.99	327.00	8,502.00
208	193	31,000.00	-	31,149.99	328.00	8,528.00
209	194	31,150.00	-	31,299.99	330.00	8,580.00
210	195	31,300.00	-	31,449.99	331.00	8,606.00
211	196	31,450.00	-	31,599.99	333.00	8,658.00
212	197	31,600.00	-	31,749.99	335.00	8,710.00
213	198	31,750.00	-	31,899.99	336.00	8,736.00
214	199	31,900.00	-	32,049.99	338.00	8,788.00
215	200	32,050.00	-	32,199.99	339.00	8,814.00
216	201	32,200.00	-	32,349.99	341.00	8,866.00
217	202	32,350.00	-	32,499.99	342.00	8,892.00
218	203	32,500.00	-	32,649.99	344.00	8,944.00
219	204	32,650.00	-	32,799.99	346.00	8,996.00
220	205	32,800.00	-	32,949.99	347.00	9,022.00
221	206	32,950.00	-	33,099.99	349.00	9,074.00
222	207	33,100.00	-	33,249.99	350.00	9,100.00
223	208	33,250.00	-	33,399.99	352.00	9,152.00
224	209	33,400.00	-	33,549.99	354.00	9,204.00
225	210	33,550.00	-	33,699.99	355.00	9,230.00
226	211	33,700.00	-	33,849.99	357.00	9,282.00
227	212	33,850.00	-	33,999.99	358.00	9,308.00

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228	213	34,000.00	-	34,149.99	360.00	9,360.00
229	214	34,150.00	-	34,299.99	361.00	9,386.00
230	215	34,300.00	-	34,449.99	363.00	9,438.00
231	216	34,450.00	-	34,599.99	365.00	9,490.00
232	217	34,600.00	-	34,749.99	366.00	9,516.00
233	218	34,750.00	-	34,899.99	368.00	9,568.00
234	219	34,900.00	-	35,049.99	369.00	9,594.00
235	220	35,050.00	-	35,199.99	371.00	9,646.00
236	221	35,200.00	-	35,349.99	373.00	9,698.00
237	222	35,350.00	-	35,499.99	374.00	9,724.00
238	223	35,500.00	-	35,649.99	376.00	9,776.00
239	224	35,650.00	-	35,799.99	377.00	9,802.00
240	225	35,800.00	-	35,949.99	379.00	9,854.00
241	226	35,950.00	-	36,099.99	381.00	9,906.00
242	227	36,100.00	-	36,249.99	382.00	9,932.00
243	228	36,250.00	-	36,399.99	384.00	9,984.00
244	229	36,400.00	-	36,549.99	385.00	10,010.00
245	230	36,550.00	-	36,699.99	387.00	10,062.00
246	231	36,700.00	-	36,849.99	388.00	10,088.00
247	232	36,850.00	-	36,999.99	390.00	10,140.00
248	233	37,000.00	-	37,149.99	392.00	10,192.00
249	234	37,150.00	-	37,299.99	393.00	10,218.00
250	235	37,300.00	-	37,449.99	395.00	10,270.00
251	236	37,450.00	-	37,599.99	396.00	10,296.00
252	237	37,600.00	-	37,749.99	398.00	10,348.00
253	238	37,750.00	-	37,899.99	400.00	10,400.00

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254	239	37,900.00	-	38,049.99	401.00	10,426.00
255	240	38,050.00	-	38,199.99	403.00	10,478.00
256	241	38,200.00	-	38,349.99	404.00	10,504.00
257	242	38,350.00	-	38,499.99	406.00	10,556.00
258	243	38,500.00	-	38,649.99	408.00	10,608.00
259	244	38,650.00	-	38,799.99	409.00	10,634.00
260	245	38,800.00	-	38,949.99	411.00	10,686.00
261	246	38,950.00	-	39,099.99	412.00	10,712.00
262	247	39,100.00	-	39,249.99	414.00	10,764.00
263	248	39,250.00	-	39,399.99	415.00	10,790.00
264	249	39,400.00	-	39,549.99	417.00	10,842.00
265	250	39,550.00	-	39,699.99	419.00	10,894.00
266	251	39,700.00	-	39,849.99	420.00	10,920.00
267	252	39,850.00	-	39,999.99	422.00	10,972.00
268	253	40,000.00	-	40,149.99	423.00	10,998.00
269	254	40,150.00	-	and above	424.00	11,024.00
270	254	40,150.00	-	40,299.99	425.00	11,050.00
271	255	40,300.00	-	40,449.99	427.00	11,102.00
272	256	40,450.00	-	40,599.99	428.00	11,128.00
273	257	40,600.00	-	40,749.99	430.00	11,180.00
274	258	40,750.00	-	40,899.99	431.00	11,206.00
275	259	40,900.00	-	41,049.99	433.00	11,258.00
276	260	41,050.00	-	41,199.99	434.00	11,284.00
277	261	41,200.00	-	41,349.99	436.00	11,336.00
278	262	41,350.00	-	41,499.99	438.00	11,388.00
279	263	41,500.00	-	41,649.99	439.00	11,414.00

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280	264	41,650.00	-	41,799.99	441.00	11,466.00
281	265	41,800.00	-	41,949.99	442.00	11,492.00
282	266	41,950.00	-	42,099.99	444.00	11,544.00
283	267	42,100.00	-	42,249.99	446.00	11,596.00
284	268	42,250.00	-	42,399.99	447.00	11,622.00
285	269	42,400.00	-	42,549.99	449.00	11,674.00
286	270	42,550.00	-	42,699.99	450.00	11,700.00
287	271	42,700.00	-	42,849.99	452.00	11,752.00
288	272	42,850.00	-	42,999.99	454.00	11,804.00
289	273	43,000.00	-	43,149.99	455.00	11,830.00
290	274	43,150.00	-	43,299.99	457.00	11,882.00
291	275	43,300.00	-	43,449.99	458.00	11,908.00
292	276	43,450.00	-	43,599.99	460.00	11,960.00
293	277	43,600.00	-	43,749.99	461.00	11,986.00
294	278	43,750.00	-	43,899.99	463.00	12,038.00
295	279	43,900.00	-	44,049.99	465.00	12,090.00
296	280	44,050.00	-	44,199.99	466.00	12,116.00
297	281	44,200.00	-	44,349.99	468.00	12,168.00
298	282	44,350.00	-	44,499.99	469.00	12,194.00
299	283	44,500.00	-	44,649.99	471.00	12,246.00
300	284	44,650.00	-	44,799.99	473.00	12,298.00
301	285	44,800.00	-	44,949.99	474.00	12,324.00
302	286	44,950.00	-	45,099.99	476.00	12,376.00
303	287	45,100.00	-	45,249.99	477.00	12,402.00
304	288	45,250.00	-	45,399.99	479.00	12,454.00
305	289	45,400.00	-	45,549.99	480.00	12,480.00

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306	290	45,550.00	-	45,699.99	482.00	12,532.00
307	291	45,700.00	-	45,849.99	484.00	12,584.00
308	292	45,850.00	-	45,999.99	485.00	12,610.00
309	293	46,000.00	-	46,149.99	487.00	12,662.00
310	294	46,150.00	-	46,299.99	488.00	12,688.00
311	295	46,300.00	-	46,449.99	490.00	12,740.00
312	296	46,450.00	-	46,599.99	492.00	12,792.00
313	297	46,600.00	-	46,749.99	493.00	12,818.00
314	298	46,750.00	-	46,899.99	495.00	12,870.00
315	299	46,900.00	-	47,049.99	496.00	12,896.00
316	300	47,050.00	-	47,199.99	498.00	12,948.00
317	301	47,200.00	-	47,349.99	500.00	13,000.00
318	302	47,350.00	-	47,499.99	501.00	13,026.00
319	303	47,500.00	-	47,649.99	503.00	13,078.00
320	304	47,650.00	-	47,799.99	504.00	13,104.00
321	305	47,800.00	-	47,949.99	506.00	13,156.00
322	306	47,950.00	-	48,099.99	507.00	13,182.00
323	307	48,100.00	-	48,249.99	509.00	13,234.00
324	308	48,250.00	-	48,399.99	511.00	13,286.00
325	309	48,400.00	-	48,549.99	512.00	13,312.00
326	310	48,550.00	-	48,699.99	514.00	13,364.00
327	311	48,700.00	-	48,849.99	515.00	13,390.00
328	312	48,850.00	-	48,999.99	517.00	13,442.00
329	313	49,000.00	-	49,149.99	519.00	13,494.00
330	314	49,150.00	-	49,299.99	520.00	13,520.00
331	315	49,300.00	-	49,449.99	522.00	13,572.00

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332	316	49,450.00	-	49,599.99	523.00	13,598.00
333	317	49,600.00	-	49,749.99	525.00	13,650.00
334	318	49,750.00	-	49,899.99	526.00	13,676.00
335	319	49,900.00	-	50,049.99	528.00	13,728.00
336	320	50,050.00	-	50,199.99	530.00	13,780.00
337	321	50,200.00	-	50,349.99	531.00	13,806.00
338	322	50,350.00	-	50,499.99	533.00	13,858.00
339	323	50,500.00	-	50,649.99	534.00	13,884.00
340	324	50,650.00	-	50,799.99	536.00	13,936.00
341	325	50,800.00	-	50,949.99	538.00	13,988.00
342	326	50,950.00	-	51,099.99	539.00	14,014.00
343	327	51,100.00	-	51,249.99	541.00	14,066.00
344	328	51,250.00	-	51,399.99	542.00	14,092.00
345	329	51,400.00	-	51,549.99	544.00	14,144.00
346	330	51,550.00	-	51,699.99	546.00	14,196.00
347	331	51,700.00	-	51,849.99	547.00	14,222.00
348	332	51,850.00	-	51,999.99	549.00	14,274.00
349	333	52,000.00	-	52,149.99	550.00	14,300.00
350	334	52,150.00	-	52,299.99	552.00	14,352.00
351	335	52,300.00	-	52,449.99	553.00	14,378.00
352	336	52,450.00	-	52,599.99	555.00	14,430.00
353	337	52,600.00	-	52,749.99	557.00	14,482.00
354	338	52,750.00	-	52,899.99	558.00	14,508.00
355	339	52,900.00	-	53,049.99	560.00	14,560.00
356	340	53,050.00	-	53,199.99	561.00	14,586.00
357	341	53,200.00	-	53,349.99	563.00	14,638.00

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358	342	53,350.00	-	53,499.99	565.00	14,690.00
359	343	53,500.00	-	53,649.99	566.00	14,716.00
360	344	53,650.00	-	53,799.99	568.00	14,768.00
361	345	53,800.00	-	53,949.99	569.00	14,794.00
362	346	53,950.00	-	54,099.99	571.00	14,846.00
363	347	54,100.00	-	54,249.99	573.00	14,898.00
364	348	54,250.00	-	54,399.99	574.00	14,924.00
365	349	54,400.00	-	54,549.99	576.00	14,976.00
366	350	54,550.00	-	54,699.99	577.00	15,002.00
367	351	54,700.00	-	54,849.99	579.00	15,054.00
368	352	54,850.00	-	54,999.99	580.00	15,080.00
369	353	55,000.00	-	55,149.99	582.00	15,132.00
370	354	55,150.00	-	55,299.99	584.00	15,184.00
371	355	55,300.00	-	55,449.99	585.00	15,210.00
372	356	55,450.00	-	55,599.99	587.00	15,262.00
373	357	55,600.00	-	55,749.99	588.00	15,288.00
374	358	55,750.00	-	55,899.99	590.00	15,340.00
375	359	55,900.00	-	56,049.99	592.00	15,392.00
376	360	56,050.00	-	56,199.99	593.00	15,418.00
377	361	56,200.00	-	56,349.99	595.00	15,470.00
378	362	56,350.00	-	56,499.99	596.00	15,496.00
379	363	56,500.00	-	56,649.99	598.00	15,548.00
380	364	56,650.00	-	56,799.99	599.00	15,574.00
381	365	56,800.00	-	56,949.99	601.00	15,626.00
382	366	56,950.00	-	57,099.99	603.00	15,678.00
383	367	57,100.00	-	57,249.99	604.00	15,704.00

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384	368	57,250.00	-	57,399.99	606.00	15,756.00
385	369	57,400.00	-	57,549.99	607.00	15,782.00
386	370	57,550.00	-	57,699.99	608.00	15,808.00
387	371	57,700.00	-	57,849.99	611.00	15,886.00
388	372	57,850.00	-	57,999.99	612.00	15,912.00
389	373	58,000.00	-	58,149.99	614.00	15,964.00
390	374	58,150.00	-	58,299.99	615.00	15,990.00
391	375	58,300.00	-	58,449.99	617.00	16,042.00
392	376	58,450.00	-	58,599.99	619.00	16,094.00
393	377	58,600.00	-	58,749.99	620.00	16,120.00
394	378	58,750.00	-	58,899.99	622.00	16,172.00
395	379	58,900.00	-	59,049.99	623.00	16,198.00
396	380	59,050.00	-	59,199.99	625.00	16,250.00
397	381	59,200.00	-	59,349.99	626.00	16,276.00
398	382	59,350.00	-	59,499.99	628.00	16,328.00
399	383	59,500.00	-	59,649.99	630.00	16,380.00
400	384	59,650.00	-	59,799.99	631.00	16,406.00
401	385	59,800.00	-	59,949.99	633.00	16,458.00
402	386	59,950.00	-	60,099.99	634.00	16,484.00
403	387	60,100.00	-	60,249.99	636.00	16,536.00
404	388	60,250.00	-	60,399.99	638.00	16,588.00
405	389	60,400.00	-	60,549.99	639.00	16,614.00
406	390	60,550.00	-	60,699.99	641.00	16,666.00
407	391	60,700.00	-	60,849.99	642.00	16,692.00
408	392	60,850.00	-	60,999.99	644.00	16,744.00
409	393	61,000.00	-	61,149.99	645.00	16,770.00

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410	394	61,150.00	-	61,299.99	647.00	16,822.00
411	395	61,300.00	-	61,449.99	649.00	16,874.00
412	396	61,450.00	-	61,599.99	650.00	16,900.00
413	397	61,600.00	-	61,749.99	652.00	16,952.00
414	398	61,750.00	-	61,899.99	653.00	16,978.00
415	399	61,900.00	-	62,049.99	655.00	17,030.00
416	400	62,050.00	-	62,199.99	657.00	17,082.00
417	401	62,200.00	-	62,349.99	658.00	17,108.00
418	402	62,350.00	-	62,499.99	660.00	17,160.00
419	403	62,500.00	-	62,649.99	661.00	17,186.00
420	404	62,650.00	-	and over	662.00	17,212.00

421 (a) For individuals with base period wages of \$62,650 or more, the weekly benefit amount
422 shall be \$662.

423 (b) An individual who is totally unemployed but earns in excess of \$60 as a result of an
424 odd job, a non-payrolled job or work from a non-covered employer or is paid a bonus in any benefit
425 week, shall be paid benefits for such week in accordance with the provisions of §21A-6-11 of this
426 code pertaining to benefits for partial unemployment.

427 (c) If a balance of benefits remains after an individual receives 26 weeks of unemployment
428 benefits, due to partial unemployment as defined in §21A-6-11 of this code, the individual may
429 receive benefit payments at the same weekly benefit rate as the most recent week, until the
430 maximum benefit balance is exhausted.

431 (f) The right of an employee to receive benefits shall not be prejudiced, nor the amount
432 thereof be diminished by reason of failure by an employer to pay either the wages earned by the
433 employee or the contribution due on such wages.

434 (g) The amendments made to this section during the 2024 Regular Session shall become
435 effective July 1, 2024.

ARTICLE 6A. EXTENDED BENEFITS PROGRAM.

§21A-6A-4. Weekly extended benefit amount.

1 The weekly extended benefit amount payable to an individual for a week of total
2 unemployment in his eligibility period shall be an amount equal to the weekly benefit payable to
3 the eligible individual during the eligible individual's applicable benefit year: *Provided*, That for any
4 week during a period in which federal payments to states under section 204 of the Federal-State
5 Extended Unemployment Compensation Act of 1970 are reduced under an order issued under
6 section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985, the weekly
7 extended benefit amount payable to an individual for a week of total unemployment in his eligibility
8 period shall be reduced by a percentage equivalent to the percentage of the reduction in the
9 federal payment. Such reduced weekly extended benefit amount, if not a full dollar amount, shall
10 be rounded to the nearest lower full dollar amount.

11 The amendments made to this section during the 2024 Regular Session shall become
12 effective July 1, 2024.

§21A-6A-5. Total extended benefit amount.

1 The total extended benefit amount payable to an eligible individual with respect to his or
2 her applicable benefit year shall be the least of the following amounts:

3 (1) Fifty percent of the total amount of regular benefits which were payable to him or her
4 under this chapter in his or her applicable benefit year;

5 (2) Thirteen times his or her weekly benefit amount which was payable to him or her under
6 this chapter for a week of total unemployment in the applicable benefit year: *Provided*, That an
7 individual filing for extended benefits through the interstate benefit payment plan and residing in
8 a state where an extended benefit period is not in effect shall be limited to payment for only the
9 first two weeks of such extended benefits: *Provided, however*, That during any fiscal year in which
10 federal payments to states under section 204 of the Federal-State Extended Unemployment
11 Compensation Act of 1970 are reduced under an order issued under section 252 of the Balanced

12 Budget and Emergency Deficit Control Act of 1985, the total extended benefit amount payable to
13 an individual with respect to his or her applicable benefit year shall be reduced by an amount
14 equal to the aggregate of the reductions under §21A-6A-4 of this code in the weekly amounts
15 paid to the individual.

16 (3)(A) For weeks beginning in a high unemployment period, subdivision (1) of this section
17 shall be applied by substituting 80 percent for 50 percent, and subdivision (2) of this section shall
18 be applied by substituting 20 for 13.

19 (B) For the purposes of this article, the term "high unemployment period" means any
20 period during which the provisions of §21A-6A-1(3) of this code would result in a "state >on'
21 indicator" if §21A-6A-1(3) of this code were applied by substituting eight percent for six and one-
22 half percent.

23 (4) The amendments made to this section during the 2024 Regular Session shall become
24 effective July 1, 2024.

ARTICLE 6B. SHORT TIME COMPENSATION PROGRAM.

§21A-6B-6. Benefits

1 (a) The short-time compensation weekly benefit amount shall be the product of the regular
2 weekly unemployment compensation amount for a week of total unemployment as defined in
3 §21A-6-10 multiplied by the percentage of reduction in the individual's usual weekly hours of work.

4 (b) An individual may be eligible for short-time compensation or unemployment benefits,
5 as appropriate: *Provided*, That no individual shall be eligible for combined benefits in any benefit
6 year in an amount more than the maximum entitlement established for regular unemployment
7 benefits: *Provided, however*, That no individual shall be paid short-time compensation benefits
8 for more than 26 weeks under a plan.

9 (c) Provisions applicable to unemployment benefits claimants shall apply to short-time
10 compensation claimants to the extent that they are not inconsistent with the program's provisions.

11 An individual who files an initial claim for short-time compensation benefits shall receive a
12 monetary determination.

13 (d) An employee who is not provided any work during a week by the short-time
14 compensation employer, or any other employer, and who is otherwise eligible for unemployment
15 benefits shall be eligible for the amount of regular unemployment compensation to which he or
16 she would otherwise be eligible.

17 (e) An employee who is not provided any work by the short-time compensation employer
18 during a week, but who works for another employer and is otherwise eligible, may be paid
19 unemployment benefits for that week subject to the disqualifying income and other provisions
20 applicable to claims for regular unemployment benefits.

21 (f) An employee who has received all of the short-time compensation or combined
22 unemployment benefits and short-time compensation available in a benefit year shall be
23 considered an exhaustee for purposes of extended benefits and, if otherwise eligible under those
24 provisions, shall be eligible to receive extended benefits.

25 (g) The amendments made to this section during the 2024 Regular Session shall become
26 effective July 1, 2024.

The Clerk of the Senate and the Clerk of the House of Delegates hereby certify that the foregoing bill is correctly enrolled.

Joe Cimin
.....
Clerk of the Senate

Steve Annis
.....
Clerk of the House of Delegates

Originated in the Senate.

In effect 90 days from passage.

2024 MAR 28 A 9:02
OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

FILED

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President of the Senate

Don Hancock
.....
Speaker of the House of Delegates

The within is this the.....
Day of, 2024.

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Governor

PRESENTED TO THE GOVERNOR

MAR 19 2024

Time 3:20 pm