

CHAPTER 248

LABOR AND INDUSTRY

HOUSE BILL 05-1265

BY REPRESENTATIVE(S) Coleman, Benefield, Berens, Boyd, Buescher, Butcher, Carroll M., Cloer, Frangas, Green, King, McFadyen, Merrifield, Paccione, Penry, Schultheis, Stafford, Todd, Vigil, and White;
also SENATOR(S) Tapia, Bacon, Dyer, Entz, Evans, Fitz-Gerald, Gordon, Groff, Grossman, Hagedorn, Hanna, Isgar, Johnson, Jones, Keller, Kester, Lamborn, Shaffer, Spence, Teck, Tochtrop, Tupa, Veiga, Wiens, Williams, and Windels.

AN ACT

CONCERNING UNEMPLOYMENT INSURANCE BENEFITS FOR AN INDIVIDUAL WHO LEAVES EMPLOYMENT TO ACCOMPANY HIS OR HER MILITARY-CONNECTED SPOUSE TO A NEW PLACE OF RESIDENCE.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. 8-73-108 (4), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

8-73-108. Benefit awards. (4) **Full award.** An individual separated from a job shall be given a full award of benefits if any of the following reasons and pertinent conditions related thereto are determined by the division to have existed. The determination of whether or not the separation from employment shall result in a full award of benefits shall be the responsibility of the division. The following reasons shall be considered, along with any other factors that may be pertinent to such determination:

(s) (I) QUITTING A JOB TO RELOCATE AS A RESULT OF THE INDIVIDUAL'S SPOUSE'S TRANSFER FOR MEDICAL-RELATED PURPOSES IN TIME OF WAR OR ARMED CONFLICT TO A NEW PLACE OF RESIDENCE, EITHER WITHIN OR OUTSIDE COLORADO, FROM WHICH IT IS IMPRACTICAL TO COMMUTE TO THE PLACE OF EMPLOYMENT, AND UPON ARRIVAL AT THE NEW PLACE OF RESIDENCE, THE INDIVIDUAL IS IN ALL RESPECTS AVAILABLE FOR SUITABLE WORK. SUCH SPOUSE SHALL BE A MEMBER OF THE UNITED STATES ARMED FORCES WHO IS ON ACTIVE DUTY AS DEFINED IN 10 U.S.C. SEC. 101 (d) (1), ACTIVE GUARD AND RESERVE DUTY AS DEFINED IN 10 U.S.C. SEC. 101 (d) (6), OR ACTIVE DUTY TO PURSUE SPECIAL WORK PURSUANT TO TITLE 10 OR 32 OF THE UNITED STATES CODE. SUCH INDIVIDUAL SHALL SUBMIT WITH THE APPLICATION FOR UNEMPLOYMENT BENEFITS AN AFFIDAVIT STATING THAT THE INDIVIDUAL HAS RESIDED

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

IN COLORADO FOR A PERIOD OF AT LEAST TWO YEARS. SUCH INDIVIDUAL SHALL ALSO COMPLY WITH PARAGRAPH (b) OF THIS SUBSECTION (4).

(II) ANY BENEFITS AWARDED TO THE CLAIMANT UNDER THE PROVISIONS OF THIS PARAGRAPH (s) NORMALLY CHARGEABLE TO THE EMPLOYER SHALL BE CHARGED TO THE FUND.

SECTION 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: June 2, 2005