

CHAPTER 369

LABOR AND INDUSTRY

HOUSE BILL 08-1180

BY REPRESENTATIVE(S) Stephens and Looper, Mitchell V., Sonnenberg, Balmer, Gardner B., Gardner C., Kerr J., Lambert, Marostica, Massey, McNulty, Roberts, Rose, Summers, Swalm, Todd, Witwer, Benefield, Butcher, Carroll M., Casso, Gagliardi, Gallegos, Garza-Hicks, Kefalas, Kerr A., Labuda, Lundberg, McFadyen, Merrifield, Middleton, Rice, Soper, and Stafford; also SENATOR(S) Shaffer, Tapia, Harvey, Kopp, Renfro, Boyd, Brophy, Cadman, Gibbs, Gordon, Groff, Isgar, Kester, Mitchell S., Morse, Penry, Schultheis, Spence, Taylor, Tochtrop, Tupa, Ward, Wiens, and Williams.

AN ACT

CONCERNING ELIGIBILITY FOR UNEMPLOYMENT INSURANCE BENEFITS FOR AN INDIVIDUAL WHO LEAVES EMPLOYMENT TO ACCOMPANY AN ACTIVE DUTY MILITARY FAMILY MEMBER WHO HAS BEEN TRANSFERRED.

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

SECTION 1. 8-73-108 (4) (s), Colorado Revised Statutes, is amended to read:

8-73-108. Benefit awards - repeal. (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 TRANSFER OF THE individual's ~~spouse's transfer for medical-related purposes in time of war or armed conflict~~ SPOUSE 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. The 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. ~~The individual shall also comply with paragraph (b) of this subsection (4).~~

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

(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, AND ANY SUCH BENEFITS SHALL NOT AFFECT AN EMPLOYER'S PREMIUM.

(III) THE DIVISION SHALL MAINTAIN RECORDS REGARDING THE NUMBER OF INDIVIDUALS CLAIMING AND AWARDED BENEFITS, AND THE AMOUNT OF BENEFITS AWARDED TO INDIVIDUALS, PURSUANT TO THIS PARAGRAPH (s). BY JANUARY 31, 2009, AND BY EACH JANUARY 31 THEREAFTER, THE DIVISION SHALL SUBMIT A REPORT TO THE BUSINESS AFFAIRS AND LABOR COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND THE BUSINESS, LABOR, AND TECHNOLOGY COMMITTEE OF THE SENATE, OR THEIR SUCCESSOR COMMITTEES, DETAILING THE NUMBER OF CLAIMANTS AND AMOUNTS AWARDED PURSUANT TO THIS PARAGRAPH (s).

(IV) THIS PARAGRAPH (s) IS REPEALED, EFFECTIVE JULY 1, 2018.

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, 2008