

CHAPTER 65

LABOR AND INDUSTRY

HOUSE BILL 09-1054

BY REPRESENTATIVE(S) Looper, Balmer, Rice, Stephens, Todd, Acree, Apuan, Baumgardner, Bradford, Casso, Curry, Frangas, Gardner B., Gerou, Kefalas, Kerr A., Kerr J., King S., Lambert, Liston, Massey, May, McCann, McNulty, Middleton, Murray, Nikkel, Pace, Priola, Ryden, Schafer S., Soper, Swalm, Tipton, Vaad, Waller;
 also SENATOR(S) Morse, King K., Boyd, Brophy, Cadman, Carroll M., Foster, Gibbs, Groff, Heath, Hodge, Isgar, Kester, Kopp, Lundberg, Mitchell, Newell, Penry, Renfro, Schultheis, Schwartz, Shaffer B., Spence, Tochtrop, Williams.

AN ACT

CONCERNING ELIGIBILITY FOR UNEMPLOYMENT INSURANCE BENEFITS FOR AN INDIVIDUAL WHO LEAVES EMPLOYMENT TO RELOCATE TO A NEW PLACE OF RESIDENCE AFTER THE INDIVIDUAL'S ACTIVE DUTY MILITARY SPOUSE IS KILLED IN COMBAT.

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 - 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:

(t) (I) QUITTING A JOB TO RELOCATE TO A NEW PLACE OF RESIDENCE, EITHER WITHIN OR OUTSIDE COLORADO, FROM WHICH IT IS IMPRACTICAL TO COMMUTE TO THE PLACE OF EMPLOYMENT BECAUSE THE INDIVIDUAL'S SPOUSE, WHO WAS STATIONED IN COLORADO, IS KILLED IN COMBAT. UPON ARRIVAL AT THE NEW PLACE OF RESIDENCE, THE INDIVIDUAL SHALL BE AVAILABLE, IN ALL RESPECTS, FOR SUITABLE WORK. THE INDIVIDUAL'S SPOUSE SHALL HAVE BEEN A MEMBER OF THE UNITED STATES ARMED FORCES WHO WAS 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 PURSUANT TO TITLE 10 OR 32 OF THE UNITED STATES

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

CODE.

(II) THE DIRECTOR SHALL PROMULGATE RULES ALLOWING FOR THE WAIVER OF THE REQUIREMENT TO ACTIVELY SEEK WORK, PURSUANT TO SECTION 8-73-107 (1) (g), FOR AN INDIVIDUAL WHO IS ELIGIBLE FOR BENEFITS PURSUANT TO THIS PARAGRAPH (t).

(III) ANY BENEFITS AWARDED TO THE CLAIMANT UNDER THIS PARAGRAPH (t) NORMALLY CHARGEABLE TO THE EMPLOYER SHALL BE CHARGED TO THE FUND, AND ANY SUCH BENEFITS SHALL NOT AFFECT AN EMPLOYER'S PREMIUM.

(IV) 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 (t). BY JANUARY 31, 2010, 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 (t).

(V) THIS PARAGRAPH (t) IS REPEALED, EFFECTIVE JULY 1, 2019.

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: March 25, 2009