

2007 -- H 5296

LC00883

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2007

A N A C T

RELATING TO LABOR AND LABOR RELATIONS - EMPLOYMENT SECURITY -
BENEFITS

Introduced By: Representatives Slater, Almeida, Diaz, Malik, and McNamara

Date Introduced: February 01, 2007

Referred To: House Labor

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 28-44-19.1 of the General Laws in Chapter 28-44 entitled
2 "Employment Security - Benefits" is hereby amended to read as follows:

3 **28-44-19.1. Disqualifying income.** -- An individual shall be disqualified from receiving
4 benefits for any week of his or her unemployment within any period with respect to which that
5 individual is currently receiving or has received retirement income in accordance with the
6 following provisions:

7 (1) The amount of compensation payable to an individual for any week which begins in a
8 period with respect to which that individual is receiving a governmental or other pension,
9 retirement or retired pay, annuity, or any other similar periodic payment which is based on the
10 previous work of that individual shall be reduced, but not below zero, by an amount equal to fifty
11 percent (50%) of the amount of that pension, retirement or retired pay, annuity, or other payment,
12 which is reasonably attributable to that week, if that deduction is required as a condition for full
13 tax credit against the tax imposed by the Federal Unemployment Tax Act, 26 U.S.C. section 3301
14 et seq; provided, that if the individual made no contribution to the retirement plan then the
15 amount of compensation payable to the individual shall be reduced, but not below zero, by the
16 full amount of that pension, retirement or retired pay, annuity, or other payment, which is
17 reasonably attributable to that week.

18 (2) If at any time following May 3, 1979, subdivision (1) of this section or any provision

1 of it is not required by federal law in order for an eligible employer to qualify for full tax credit
2 against the tax imposed by the Federal Unemployment Tax Act 26 U.S.C. section 3301 et seq.,
3 then subdivision (1) of this section or the provision of it is no longer required and shall have no
4 force or effect.

5 [\(3\) Social Security benefits received by an individual shall not be included or considered](#)
6 [as disqualifying income under the provisions of this section.](#)

7 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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RELATING TO LABOR AND LABOR RELATIONS - EMPLOYMENT SECURITY -
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- 1 This act would eliminate Social Security benefits from being considered as "disqualifying
- 2 income" in the determination of individual eligibility for unemployment benefits.
- 3 This act would take effect upon passage.

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