

A bill for an act
relating to employment; modifying benefit account requirements for
unemployment benefits; amending Minnesota Statutes 2009 Supplement, section
268.07, subdivision 2.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2009 Supplement, section 268.07, subdivision 2, is
amended to read:

Subd. 2. **Benefit account requirements and weekly unemployment benefit
amount and maximum amount of unemployment benefits.** (a) To establish a benefit
account using the primary base period under section 268.035, subdivision 4, paragraph
(a), an applicant must have:

(1) wage credits in the high quarter of \$1,000 or more; and

(2) wage credits, in other than the high quarter, of \$250 or more.

To establish a benefit account using the secondary base period under section 268.035,
subdivision 4, paragraph (b), an applicant must have wage credits in the high quarter of
\$1,000 or more. If an applicant has an active and valid federal or state extended benefit
or emergency unemployment compensation benefit, a new benefit account under this
paragraph can only be established if the total base period earnings for the new benefit
account is greater than 90 percent of the base period earnings of the benefit account from
which the applicant's extended or emergency unemployment compensation benefits
were derived.

(b) If an applicant has established a benefit account, the weekly unemployment
benefit amount available during the benefit year is the higher of:

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(1) 50 percent of the applicant's average weekly wage during the base period, to a maximum of 66-2/3 percent of the state's average weekly wage; or

(2) 50 percent of the applicant's average weekly wage during the high quarter, to a maximum of 43 percent of the state's average weekly wage.

The applicant's average weekly wage under clause (1) is computed by dividing the total wage credits by 52. The applicant's average weekly wage under clause (2) is computed by dividing the high quarter wage credits by 13.

(c) The state's maximum weekly benefit amount, computed in accordance with section 268.035, subdivision 23, applies to a benefit account established effective on or after the last Sunday in October. Once established, an applicant's weekly unemployment benefit amount is not affected by the last Sunday in October change in the state's maximum weekly unemployment benefit amount.

(d) The maximum amount of unemployment benefits available on any benefit account is the lower of:

(1) 33-1/3 percent of the applicant's total wage credits; or

(2) 26 times the applicant's weekly unemployment benefit amount.

EFFECTIVE DATE. This section is effective for applications filed after December 31, 2009.