



March 15, 2013

**ENGROSSED  
HOUSE BILL No. 1457**

DIGEST OF HB 1457 (Updated March 13, 2013 11:33 am - DI 102)

**Citations Affected:** IC 22-4; IC 22-4.1; noncode.

**Synopsis:** Unemployment insurance. Provides that the experience account of an employer may not be relieved of charges for an unemployment benefit (benefit) overpayment if the department of workforce development (department) determines that: (1) the erroneous payment was made because the employer or a person acting on behalf of the employer was at fault in failing to respond in a timely or adequate manner to the department's written request for information relating to the claim for unemployment benefits; and (2) the employer or a person acting on behalf of the employer has established a pattern of failure to respond in a timely or adequate manner to department requests. Provides that an individual receiving benefits is required to participate in reemployment and eligibility assessment activities (activities) when directed to do so by the department and permits the department to require an individual to provide proof of identity to  
(Continued next page)

**Effective:** July 1, 2013.

**Leonard, Hamm, Braun, Gutwein**  
(SENATE SPONSOR — BOOTS)

January 22, 2013, read first time and referred to Committee on Employment, Labor and Pensions.

January 29, 2013, amended, reported — Do Pass.

January 31, 2013, read second time, ordered engrossed. Engrossed.

February 4, 2013, read third time, passed. Yeas 62, nays 32.

**SENATE ACTION**

February 25, 2013, read first time and referred to Committee on Pensions and Labor.

March 14, 2013, amended, reported favorably — Do Pass.

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participate in the activities. For employers in the construction industry, establishes a new employer contribution rate equal to the lesser of 4% or the average of the contribution rates paid by all employers in the construction industry subject to the unemployment law during the 12 months preceding the computation date. Provides that the commissioner of the department, after having computed the rate of contributions due from an employer from an estimate on the basis of the best evidence reasonably available, may increase or decrease the rate of contributions due from the employer on the basis of subsequently ascertained and verified information. Provides that 15% of the interest and civil penalties collected from a claimant who knowingly failed to disclose or falsified any fact that if accurately reported would disqualify the individual from receiving a benefit or that would reduce the benefit are deposited in the unemployment insurance trust fund. (Currently, all of the interest and civil penalties for fraudulent overpayments are deposited in the special employment and training services fund.) Requires an employer to report to the directory of new hires (directory) the same information reported for a new hire for an employee who resumes employment after at least a 60 day break in service. Establishes a civil penalty of \$25 for an employer that fails to report information about new hires to the directory. Urges the legislative council to assign to the unemployment insurance oversight committee the task of studying: (1) the use of debit cards to pay benefits; and (2) the direct deposit of benefits to a claimant's own checking or savings account.

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March 15, 2013

First Regular Session 118th General Assembly (2013)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2012 Regular Session of the General Assembly.

## ENGROSSED HOUSE BILL No. 1457

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A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 22-4-11-1, AS AMENDED BY P.L.175-2009,  
2 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2013]: Sec. 1. (a) For the purpose of charging employers'  
4 experience or reimbursable accounts with regular benefits paid  
5 subsequent to July 3, 1971, to any eligible individual but except as  
6 provided in IC 22-4-22 and subsection (f), such benefits paid shall be  
7 charged proportionately against the experience or reimbursable  
8 accounts of the individual's employers in the individual's base period  
9 (on the basis of total wage credits established in such base period)  
10 against whose accounts the maximum charges specified in this section  
11 shall not have been previously made. Such charges shall be made in the  
12 inverse chronological order in which the wage credits of such  
13 individuals were established. However, when an individual's claim has  
14 been computed for the purpose of determining the individual's regular  
15 benefit rights, maximum regular benefit amount, and the proportion of  
16 such maximum amount to be charged to the experience or reimbursable  
17 accounts of respective chargeable employers in the base period, the

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1 experience or reimbursable account of any employer charged with  
2 regular benefits paid shall not be credited or recredited with any  
3 portion of such maximum amount because of any portion of such  
4 individual's wage credits remaining uncharged at the expiration of the  
5 individual's benefit period. The maximum so charged against the  
6 account of any employer shall not exceed twenty-eight percent (28%)  
7 of the total wage credits of such individual with each such employer  
8 with which wage credits were established during such individual's base  
9 period. Benefits paid under provisions of IC 22-4-22-3 in excess of the  
10 amount that the claimant would have been monetarily eligible for under  
11 other provisions of this article shall be paid from the fund and not  
12 charged to the experience account of any employer. This exception  
13 shall not apply to those employers electing to make payments in lieu of  
14 contributions who shall be charged for the full amount of regular  
15 benefit payments and the part of benefits not reimbursed by the federal  
16 government under the Federal-State Extended Unemployment  
17 Compensation Act of 1970 that are attributable to service in their  
18 employ. Irrespective of the twenty-eight percent (28%) maximum  
19 limitation provided for in this section, the part of benefits not  
20 reimbursed by the federal government under the Federal-State  
21 Extended Unemployment Compensation Act of 1970 paid to an eligible  
22 individual based on service with a governmental entity of this state or  
23 its political subdivisions shall be charged to the experience or  
24 reimbursable accounts of the employers, and the part of benefits not  
25 reimbursed by the federal government under the Federal-State  
26 Extended Unemployment Compensation Act of 1970 paid to an eligible  
27 individual shall be charged to the experience or reimbursable accounts  
28 of the individual's employers in the individual's base period, other than  
29 governmental entities of this state or its political subdivisions, in the  
30 same proportion and sequence as are provided in this section for  
31 regular benefits paid. Additional benefits paid under IC 22-4-12-4(c)  
32 and benefits paid under IC 22-4-15-1(c)(8) shall:

33 (1) be paid from the fund; and

34 (2) not be charged to the experience account or the reimbursable  
35 account of any employer.

36 (b) If the aggregate of wages paid to an individual by two (2) or  
37 more employers during the same calendar quarter exceeds the  
38 maximum wage credits (as defined in IC 22-4-4-3) then the experience  
39 or reimbursable account of each such employer shall be charged in the  
40 ratio which the amount of wage credits from such employer bears to the  
41 total amount of wage credits during the base period.

42 (c) When wage records show that an individual has been employed

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1 by two (2) or more employers during the same calendar quarter of the  
 2 base period but do not indicate both that such employment was  
 3 consecutive and the order of sequence thereof, then and in such cases  
 4 it shall be deemed that the employer with whom the individual  
 5 established a plurality of wage credits in such calendar quarter is the  
 6 most recent employer in such quarter and its experience or  
 7 reimbursable account shall be first charged with benefits paid to such  
 8 individual. The experience or reimbursable account of the employer  
 9 with whom the next highest amount of wage credits were established  
 10 shall be charged secondly and the experience or reimbursable accounts  
 11 of other employers during such quarters, if any, shall likewise be  
 12 charged in order according to plurality of wage credits established by  
 13 such individual.

14 (d) Except as provided in subsection (f) **or section 1.5 of this**  
 15 **chapter**, if an individual:

16 (1) voluntarily leaves an employer without good cause in  
 17 connection with the work; or

18 (2) is discharged from an employer for just cause;

19 wage credits earned with the employer from whom the employee has  
 20 separated under these conditions shall be used to compute the  
 21 claimant's eligibility for benefits, but charges based on such wage  
 22 credits shall be paid from the fund and not charged to the experience  
 23 account of any employer. However, this exception shall not apply to  
 24 those employers who elect to make payments in lieu of contributions,  
 25 who shall be charged for all benefit payments which are attributable to  
 26 service in their employ.

27 (e) Any nonprofit organization which elects to make payments in  
 28 lieu of contributions into the unemployment compensation fund as  
 29 provided in this article is not liable to make the payments with respect  
 30 to the benefits paid to any individual whose base period wages include  
 31 wages for previously uncovered services as defined in IC 22-4-4-4, nor  
 32 is the experience account of any other employer liable for charges for  
 33 benefits paid the individual to the extent that the unemployment  
 34 compensation fund is reimbursed for these benefits pursuant to Section  
 35 121 of P.L.94-566. Payments which otherwise would have been  
 36 chargeable to the reimbursable or contributing employers shall be  
 37 charged to the fund.

38 (f) If an individual:

39 (1) earns wages during the individual's base period through  
 40 employment with two (2) or more employers concurrently;

41 (2) is separated from work by one (1) of the employers for reasons  
 42 that would not result in disqualification under IC 22-4-15-1; and

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1 (3) continues to work for one (1) or more of the other employers  
 2 after the end of the base period and continues to work during the  
 3 applicable benefit year on substantially the same basis as during  
 4 the base period;

5 wage credits earned with the base period employers shall be used to  
 6 compute the claimant's eligibility for benefits, but charges based on the  
 7 wage credits from the employer who continues to employ the individual  
 8 shall be charged to the experience or reimbursable account of the  
 9 separating employer.

10 (g) Subsection (f) does not affect the eligibility of a claimant who  
 11 otherwise qualifies for benefits nor the computation of benefits.

12 (h) Unemployment benefits paid shall not be charged to the  
 13 experience account of a base period employer when the claimant's  
 14 unemployment from the employer was a direct result of the  
 15 condemnation of property by a municipal corporation (as defined in  
 16 IC 36-1-2-10), the state, or the federal government, a fire, a flood, or an  
 17 act of nature, when at least fifty percent (50%) of the employer's  
 18 employees, including the claimant, became unemployed as a result.  
 19 This exception does not apply when the unemployment was an  
 20 intentional result of the employer or a person acting on behalf of the  
 21 employer.

22 SECTION 2. IC 22-4-11-1.5 IS ADDED TO THE INDIANA CODE  
 23 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
 24 1, 2013]: **Sec. 1.5. (a) As used in this section, "erroneous payment"**  
 25 **means a payment that would not have been made but for the**  
 26 **failure by an employer or a person acting on behalf of the**  
 27 **employer with respect to a claim for unemployment benefits to**  
 28 **which the payment relates.**

29 **(b) As used in this section, "pattern of failure" means a repeated**  
 30 **and documented failure by an employer or a person acting on**  
 31 **behalf of an employer to respond to requests for information made**  
 32 **by the department, taking into consideration the number of**  
 33 **failures in relation to the total number of requests received by the**  
 34 **employer or the person acting on behalf of an employer.**

35 **(c) The experience account of an employer may not be relieved**  
 36 **of charges for a benefit overpayment from the state's**  
 37 **unemployment insurance benefit fund established by IC 22-4-26-1,**  
 38 **if the department determines that:**

39 **(1) the erroneous payment was made because the employer or**  
 40 **a person acting on behalf of the employer was at fault in**  
 41 **failing to respond in a timely or adequate manner to the**  
 42 **department's written request for information relating to the**

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1 **claim for unemployment benefits; and**  
 2 **(2) the employer or a person acting on behalf of the employer**  
 3 **has established a pattern of failure to respond in a timely or**  
 4 **adequate manner to department requests described in**  
 5 **subdivision (1).**

6 SECTION 3. IC 22-4-11-2, AS AMENDED BY P.L.6-2012,  
 7 SECTION 153, IS AMENDED TO READ AS FOLLOWS  
 8 [EFFECTIVE JULY 1, 2013]: Sec. 2. (a) Except as provided in  
 9 IC 22-4-10-6 and IC 22-4-11.5, the department shall for each year  
 10 determine the contribution rate applicable to each employer.

11 (b) The balance shall include contributions with respect to the  
 12 period ending on the computation date and actually paid on or before  
 13 July 31 immediately following the computation date and benefits  
 14 actually paid on or before the computation date and shall also include  
 15 any voluntary payments made in accordance with IC 22-4-10-5 or  
 16 IC 22-4-10-5.5 (repealed):

17 (1) for each calendar year, an employer's rate shall be determined  
 18 in accordance with the rate schedules in section 3.3 or 3.5 of this  
 19 chapter; and

20 (2) for each calendar year, an employer's rate shall be ~~two and~~  
 21 ~~seven-tenths percent (2.7%) before January 1, 2011, and two and~~  
 22 ~~five-tenths percent (2.5%), after December 31, 2010,~~ except as  
 23 otherwise provided in **subsection (g) or IC 22-4-37-3**, unless:

24 (A) the employer has been subject to this article throughout  
 25 the thirty-six (36) consecutive calendar months immediately  
 26 preceding the computation date;

27 (B) there has been some annual payroll in each of the three (3)  
 28 twelve (12) month periods immediately preceding the  
 29 computation date; and

30 (C) the employer has properly filed all required contribution  
 31 and wage reports, and all contributions, penalties, and interest  
 32 due and owing by the employer or the employer's predecessors  
 33 have been paid.

34 (c) ~~This subsection applies before January 1, 2011. In addition to the~~  
 35 ~~conditions and requirements set forth and provided in subsection~~  
 36 ~~(b)(2)(A) and (b)(2)(B); an employer's rate shall not be less than five~~  
 37 ~~and six-tenths percent (5.6%) unless all required contribution and wage~~  
 38 ~~reports have been filed within thirty-one (31) days following the~~  
 39 ~~computation date and all contributions, penalties, and interest due and~~  
 40 ~~owing by the employer or the employer's predecessors for periods prior~~  
 41 ~~to and including the computation date have been paid:~~

42 (1) within thirty-one (31) days following the computation date; or

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1 (2) within ten (10) days after the department has given the  
 2 employer a written notice by registered mail to the employer's last  
 3 known address of:

4 (A) the delinquency; or

5 (B) failure to file the reports;

6 whichever is the later date.

7 The board or the board's designee may waive the imposition of rates  
 8 under this subsection if the board finds the employer's failure to meet  
 9 the deadlines was for excusable cause. The department shall give  
 10 written notice to the employer before this additional condition or  
 11 requirement shall apply.

12 (c) ~~(d)~~ This subsection applies after December 31, 2010. In addition  
 13 to the conditions and requirements set forth and provided in subsection  
 14 (b)(2)(A), (b)(2)(B), and (b)(2)(C), an employer's rate is equal to the  
 15 sum of the employer's contribution rate determined or estimated by the  
 16 department under this article plus two percent (2%) unless all required  
 17 contributions and wage reports have been filed within thirty-one (31)  
 18 days following the computation date and all contributions, penalties,  
 19 and interest due and owing by the employer or the employer's  
 20 predecessor for periods before and including the computation date have  
 21 been paid:

22 (1) within thirty-one (31) days following the computation date; or

23 (2) within ten (10) days after the department has given the  
 24 employer a written notice by registered mail to the employer's last  
 25 known address of:

26 (A) the delinquency; or

27 (B) failure to file the reports;

28 whichever is the later date. The board or the board's designee may  
 29 waive the imposition of rates under this subsection if the board finds  
 30 the employer's failure to meet the deadlines was for excusable cause.  
 31 The department shall give written notice to the employer before this  
 32 additional condition or requirement shall apply. An employer's rate  
 33 under this subsection may not exceed twelve percent (12%).

34 (e) ~~(d)~~ However, if the employer is the state or a political  
 35 subdivision of the state or any instrumentality of a state or a political  
 36 subdivision, or any instrumentality which is wholly owned by the state  
 37 and one (1) or more other states or political subdivisions, the employer  
 38 may contribute at a rate of

39 ~~(1) one percent (1%), before January 1, 2011; or~~

40 ~~(2) one and six-tenths percent (1.6%) after December 31, 2010;~~  
 41 until it has been subject to this article throughout the thirty-six (36)  
 42 consecutive calendar months immediately preceding the computation

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1 date.

2 ~~(f)~~ (e) On the computation date every employer who had taxable  
3 wages in the previous calendar year shall have the employer's  
4 experience account charged with the amount determined under the  
5 following formula:

6 STEP ONE: Divide:

7 (A) the employer's taxable wages for the preceding calendar  
8 year; by

9 (B) the total taxable wages for the preceding calendar year.

10 STEP TWO: Multiply the quotient determined under STEP ONE  
11 by the total amount of benefits charged to the fund under section  
12 1 of this chapter.

13 ~~(g)~~ (f) One (1) percentage point of the rate imposed under  
14 subsection (c), ~~or (d)~~; or the amount of the employer's payment that is  
15 attributable to the increase in the contribution rate, whichever is less,  
16 shall be imposed as a penalty that is due and shall be deposited upon  
17 collection into the special employment and training services fund  
18 established under IC 22-4-25-1. The remainder of the contributions  
19 paid by an employer pursuant to the maximum rate shall be:

20 (1) considered a contribution for the purposes of this article; and

21 (2) deposited in the unemployment insurance benefit fund  
22 established under IC 22-4-26.

23 **(g) Except as otherwise provided in IC 22-4-37-3, this**  
24 **subsection, instead of subsection (b)(2), applies to an employer in**  
25 **the construction industry. As used in the subsection, "construction**  
26 **industry" means business establishments whose proper primary**  
27 **classification in the current edition of the North American Industry**  
28 **Classification System Manual - United States, published by the**  
29 **National Technical Information Service of the United States**  
30 **Department of Commerce is 23 (construction). For each calendar**  
31 **year beginning after December 31, 2013, an employer's rate shall**  
32 **be equal to the lesser of four percent (4%) or the average of the**  
33 **contribution rates paid by all employers in the construction**  
34 **industry subject to this article during the twelve (12) months**  
35 **preceding the computation date, unless:**

36 (1) the employer has been subject to this article throughout  
37 the thirty-six (36) consecutive calendar months immediately  
38 preceding the computation date;

39 (2) there has been some annual payroll in each of the three (3)  
40 twelve (12) month periods immediately preceding the  
41 computation date; and

42 (3) the employer has properly filed all required contribution



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**and wage reports, and all contributions, penalties, and interest due and owing by the employer or the employer's predecessors have been paid.**

SECTION 4. IC 22-4-11-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 4. (a) If the commissioner finds that any employer has failed to file any payroll report or has filed a report which the commissioner finds incorrect or insufficient, the commissioner shall make an estimate of the information required from the employer on the basis of the best evidence reasonably available to the commissioner at the time and notify the employer thereof by mail addressed to the employer's last known address. Except as provided in subsection (b), unless the employer files the report or a corrected or sufficient report, as the case may be, within fifteen (15) days after the mailing of the notice, the commissioner shall compute the employer's rate of contribution on the basis of the estimates, and the rate determined in this manner shall be subject to increase ~~but not to reduction or decrease~~ on the basis of subsequently ascertained **and verified** information. The estimated amount of contribution is considered prima facie correct.

(b) The commissioner may adjust the amount of contribution estimated in this manner on the basis of information ascertained after the expiration of the notice period if the employer or other interested party:

(1) makes an affirmative showing of all facts alleged as a reasonable cause for the failure to timely file any payroll report; and

(2) submits accurate and reliable payroll reports.

SECTION 5. IC 22-4-13-1.1, AS AMENDED BY P.L.175-2009, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 1.1. (a) Notwithstanding any other provisions of this article, if an individual knowingly:

(1) fails to disclose amounts earned during any week in the individual's waiting period, benefit period, or extended benefit period; or

(2) fails to disclose or has falsified any fact;

that would disqualify the individual for benefits, reduce the individual's benefits, or render the individual ineligible for benefits or extended benefits, the individual forfeits any wage credits earned or any benefits or extended benefits that might otherwise be payable to the individual for the period in which the failure to disclose or falsification occurs.

(b) In addition to amounts forfeited under subsection (a), an individual is subject to the following civil penalties for each instance

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1 in which the individual knowingly fails to disclose or falsifies any fact  
 2 that if accurately reported to the department would disqualify the  
 3 individual for benefits, reduce the individual's benefits, or render the  
 4 individual ineligible for benefits or extended benefits:

5 (1) For the first instance, an amount equal to twenty-five percent  
 6 (25%) of the benefit overpayment.

7 (2) For the second instance, an amount equal to fifty percent  
 8 (50%) of the benefit overpayment.

9 (3) For the third and each subsequent instance, an amount equal  
 10 to one hundred percent (100%) of the benefit overpayment.

11 (c) The department's determination under this section constitutes an  
 12 initial determination under ~~IC 22-4-17-2(f)~~ **IC 22-4-17-2(a)** and is  
 13 subject to a hearing and review under IC 22-4-17-3 through  
 14 IC 22-4-17-15.

15 (d) Interest and civil penalties collected under this chapter shall be  
 16 deposited **as follows:**

17 **(1) Fifteen percent (15%) of the amount collected shall be**  
 18 **deposited in the unemployment insurance benefit fund**  
 19 **established under IC 22-4-26-1.**

20 **(2) The remainder of the amount collected shall be deposited**  
 21 **in the special employment and training services fund established**  
 22 **under IC 22-4-25-1.**

23 SECTION 6. IC 22-4-14-3, AS AMENDED BY P.L.110-2010,  
 24 SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 25 JULY 1, 2013]: Sec. 3. (a) An individual who is receiving benefits as  
 26 determined under IC 22-4-15-1(c)(8) may restrict the individual's  
 27 availability because of the individual's need to address the physical,  
 28 psychological, or legal effects of being a victim of domestic or family  
 29 violence (as defined in IC 31-9-2-42).

30 (b) An unemployed individual shall be eligible to receive benefits  
 31 with respect to any week only if the individual:

32 (1) is physically and mentally able to work;

33 (2) is available for work;

34 (3) is found by the department to be making an effort to secure  
 35 full-time work; and

36 (4) participates in reemployment services, such as job search  
 37 assistance services, if the individual has been determined to be  
 38 likely to exhaust regular benefits and to need reemployment  
 39 services under a profiling system established by the department,  
 40 **and reemployment and eligibility assessment activities when**  
 41 **directed by the department**, unless the department determines  
 42 that:

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- 1 (A) the individual has completed the reemployment services;
- 2 or
- 3 (B) failure by the individual to participate in or complete the
- 4 reemployment services is excused by the director under
- 5 IC 22-4-14-2(b).

6 The term "effort to secure full-time work" shall be defined by the  
 7 department through rule which shall take into consideration whether  
 8 such individual has a reasonable assurance of reemployment and, if so,  
 9 the length of the prospective period of unemployment. However, if an  
 10 otherwise eligible individual is unable to work or unavailable for work  
 11 on any normal work day of the week the individual shall be eligible to  
 12 receive benefits with respect to such week reduced by one-third (1/3)  
 13 of the individual's weekly benefit amount for each day of such inability  
 14 to work or unavailability for work.

15 (c) For the purpose of this article, unavailability for work of an  
 16 individual exists in, but is not limited to, any case in which, with  
 17 respect to any week, it is found:

- 18 (1) that such individual is engaged by any unit, agency, or
- 19 instrumentality of the United States, in charge of public works or
- 20 assistance through public employment, or any unit, agency, or
- 21 instrumentality of this state, or any political subdivision thereof,
- 22 in charge of any public works or assistance through public
- 23 employment;
- 24 (2) that such individual is in full-time active military service of
- 25 the United States, or is enrolled in civilian service as a
- 26 conscientious objector to military service;
- 27 (3) that such individual is suspended for misconduct in
- 28 connection with the individual's work; or
- 29 (4) that such individual is in attendance at a regularly established
- 30 public or private school during the customary hours of the
- 31 individual's occupation or is in any vacation period intervening
- 32 between regular school terms during which the individual is a
- 33 student. However, this subdivision does not apply to any
- 34 individual who is attending a regularly established school, has
- 35 been regularly employed and upon becoming unemployed makes
- 36 an effort to secure full-time work and is available for suitable
- 37 full-time work with the individual's last employer, or is available
- 38 for any other full-time employment deemed suitable.

39 (d) Notwithstanding any other provisions in this section or  
 40 IC 22-4-15-2, no otherwise eligible individual shall be denied benefits  
 41 for any week because the individual is in training with the approval of  
 42 the department, nor shall such individual be denied benefits with

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1 respect to any week in which the individual is in training with the  
2 approval of the department by reason of the application of the  
3 provisions of this section with respect to the availability for work or  
4 active search for work or by reason of the application of the provisions  
5 of IC 22-4-15-2 relating to failure to apply for, or the refusal to accept,  
6 suitable work. The department shall by rule prescribe the conditions  
7 under which approval of such training will be granted.

8 (e) Notwithstanding subsection (b), (c), or (d), or IC 22-4-15-2, an  
9 otherwise eligible individual shall not be denied benefits for any week  
10 or determined not able, available, and actively seeking work, because  
11 the individual is responding to a summons for jury service. The  
12 individual shall:

- 13 (1) obtain from the court proof of the individual's jury service;
- 14 and
- 15 (2) provide to the department, in the manner the department
- 16 prescribes by rule, proof of the individual's jury service.

17 **(f) For purposes of this section, reemployment services and**  
18 **reemployment and eligibility assessment activities provided to an**  
19 **individual:**

- 20 **(1) must include:**
- 21 **(A) orientation to the services available through a one stop**
- 22 **center (as defined by IC 22-4.5-2-6);**
- 23 **(B) provision of labor market and career information;**
- 24 **(C) assessment of the individual's workforce and other job**
- 25 **related skills; and**
- 26 **(D) a review of the individual's work search efforts; and**
- 27 **(2) may include:**
- 28 **(A) comprehensive and specialized assessments;**
- 29 **(B) individual and group career counseling;**
- 30 **(C) training services;**
- 31 **(D) additional services to assist the individual in becoming**
- 32 **reemployed;**
- 33 **(E) job search counseling; and**
- 34 **(F) development and review of the individual's**
- 35 **reemployment plan that includes the individual's**
- 36 **participation in job search activities and appropriate**
- 37 **workshops.**

38 **(g) The department may require an individual participating in**  
39 **reemployment and eligibility assessment activities described in this**  
40 **section to provide proof of identity.**

41 SECTION 7. IC 22-4-17-2, AS AMENDED BY P.L.42-2011,  
42 SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

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1 JULY 1, 2013]: Sec. 2. (a) When an individual files an initial claim, the  
 2 department shall promptly make a determination of the individual's  
 3 status as an insured worker in a form prescribed by the department. A  
 4 written notice of the determination of insured status shall be furnished  
 5 to the individual promptly. Each such determination shall be based on  
 6 and include a written statement showing the amount of wages paid to  
 7 the individual for insured work by each employer during the  
 8 individual's base period and shall include a finding as to whether such  
 9 wages meet the requirements for the individual to be an insured  
 10 worker, and, if so, the week ending date of the first week of the  
 11 individual's benefit period, the individual's weekly benefit amount, and  
 12 the maximum amount of benefits that may be paid to the individual for  
 13 weeks of unemployment in the individual's benefit period. For the  
 14 individual who is not insured, the notice shall include the reason for the  
 15 determination. Unless the individual, within ten (10) days after such  
 16 determination was mailed to the individual's last known address, or  
 17 otherwise delivered to the individual, asks a hearing thereon before an  
 18 administrative law judge, such determination shall be final and benefits  
 19 shall be paid or denied in accordance therewith.

20 (b) The department shall promptly furnish each employer in the base  
 21 period whose experience or reimbursable account is potentially  
 22 chargeable with benefits to be paid to such individual with a notice in  
 23 writing of the employer's benefit liability. The notice shall contain the  
 24 date, the name and Social Security account number of the individual,  
 25 the ending date of the individual's base period, and the week ending  
 26 date of the first week of the individual's benefit period. The notice shall  
 27 further contain information as to the proportion of benefits chargeable  
 28 to the employer's experience or reimbursable account in ratio to the  
 29 earnings of such individual from such employer. Unless the employer  
 30 within ten (10) days after such notice of benefit liability was mailed to  
 31 the employer's last known address, or otherwise delivered to the  
 32 employer, asks a hearing thereon before an administrative law judge,  
 33 such determination shall be final and benefits paid shall be charged in  
 34 accordance therewith.

35 (c) An employing unit, including an employer, having knowledge  
 36 of any facts which may affect an individual's eligibility or right to  
 37 waiting period credits or benefits, shall notify the department of such  
 38 facts within ten (10) days after the mailing of notice that a former  
 39 employee has filed an initial or additional claim for benefits on a form  
 40 prescribed by the department.

41 ~~(d) If, after the department determines that additional information~~  
 42 ~~is necessary to make a determination under this chapter:~~

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1 (1) the department makes a request in writing for additional  
 2 information from an employing unit, including an employer, on  
 3 a form prescribed by the department; and  
 4 (2) the employing unit fails to respond within ten (10) days after  
 5 the date the request is mailed to the employing unit;  
 6 the department shall make a decision with the information available.

7 (e) If:  
 8 (1) an employer appeals an original determination granting  
 9 benefits to a claimant and the determination is reversed on appeal;  
 10 and  
 11 (2) the decision to reverse the determination is at least in part  
 12 based on information that the department requested from the  
 13 employer under subsection (d); but which the employer failed to  
 14 provide within ten (10) days after the department's request was  
 15 mailed to the employer;

16 the employer's experience account shall be charged an amount equal to  
 17 fifty percent (50%) of the benefits paid to the employee to which the  
 18 employee was not entitled and for which the employer's experience  
 19 account may be charged.

20 (f) If:  
 21 (1) the employer's experience account is charged under subsection  
 22 (e); and  
 23 (2) the employee repays all or a part of the benefits on which the  
 24 charge under subsection (e) is based;

25 the employer shall receive a credit to the employer's experience  
 26 account that is equal to the amount of the employee's repayment up to  
 27 fifty percent (50%) of the amount charged to the employer's experience  
 28 account under subsection (e):

29 (g) (d) In addition to the foregoing determination of insured status  
 30 by the department, the deputy shall, throughout the benefit period,  
 31 determine the claimant's eligibility with respect to each week for which  
 32 the claimant claims waiting period credit or benefit rights, the validity  
 33 of the claimant's claim therefor, and the cause for which the claimant  
 34 left the claimant's work, or may refer such claim to an administrative  
 35 law judge who shall make the initial determination with respect thereto  
 36 in accordance with the procedure in section 3 of this chapter.

37 (h) (e) In cases where the claimant's benefit eligibility or  
 38 disqualification is disputed, the department shall promptly notify the  
 39 claimant and the employer or employers directly involved or connected  
 40 with the issue raised as to the validity of such claim, the eligibility of  
 41 the claimant for waiting period credit or benefits, or the imposition of  
 42 a disqualification period or penalty, or the denial thereof, and of the

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1 cause for which the claimant left the claimant's work, of such  
2 determination and the reasons thereof.

3 ~~(i)~~ **(f)** Except as otherwise hereinafter provided in this section  
4 regarding parties located in Alaska, Hawaii, and Puerto Rico, unless  
5 the claimant or such employer, within ten (10) days after the  
6 notification required by subsection ~~(h)~~; **(e)**, was mailed to the claimant's  
7 or the employer's last known address or otherwise delivered to the  
8 claimant or the employer, asks for a hearing before an administrative  
9 law judge thereon, such decision shall be final and benefits shall be  
10 paid or denied in accordance therewith.

11 ~~(j)~~ **(g)** For a notice of disputed administrative determination or  
12 decision mailed or otherwise delivered to the claimant or employer  
13 either of whom is located in Alaska, Hawaii, or Puerto Rico, unless the  
14 claimant or employer, within fifteen (15) days after the notification  
15 required by subsection ~~(h)~~; **(e)**, was mailed to the claimant's or  
16 employer's last known address or otherwise delivered to the claimant  
17 or employer, asks for a hearing before an administrative law judge  
18 thereon, such decision shall be final and benefits shall be paid or  
19 denied in accordance therewith.

20 ~~(k)~~ **(h)** If a claimant or an employer requests a hearing under  
21 subsection ~~(i)~~ **(f)** or ~~(j)~~; **(g)**, the request therefor shall be filed with the  
22 department in writing within the prescribed periods as above set forth  
23 in this section and shall be in such form as the department may  
24 prescribe. In the event a hearing is requested by an employer or the  
25 department after it has been administratively determined that benefits  
26 should be allowed to a claimant, entitled benefits shall continue to be  
27 paid to said claimant unless said administrative determination has been  
28 reversed by a due process hearing. Benefits with respect to any week  
29 not in dispute shall be paid promptly regardless of any appeal.

30 ~~(l)~~ **(i)** A person may not participate on behalf of the department in  
31 any case in which the person is an interested party.

32 ~~(m)~~ **(j)** Solely on the ground of obvious administrative error  
33 appearing on the face of an original determination, and within the  
34 benefit year of the affected claims, the commissioner, or a  
35 representative authorized by the commissioner to act in the  
36 commissioner's behalf, may reconsider and direct the deputy to revise  
37 the original determination so as to correct the obvious error appearing  
38 therein. Time for filing an appeal and requesting a hearing before an  
39 administrative law judge regarding the determinations handed down  
40 pursuant to this subsection shall begin on the date following the date  
41 of revision of the original determination and shall be filed with the  
42 commissioner in writing within the prescribed periods as above set

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1       forth in subsection (c).

2       ~~(n)~~ **(k)** Notice to the employer and the claimant that the  
3       determination of the department is final if a hearing is not requested  
4       shall be prominently displayed on the notice of the determination  
5       which is sent to the employer and the claimant.

6       ~~(o)~~ **(l)** If an allegation of the applicability of IC 22-4-15-1(c)(8) is  
7       made by the individual at the time of the claim for benefits, the  
8       department shall not notify the employer of the claimant's current  
9       address or physical location.

10       SECTION 8. IC 22-4.1-4-2, AS AMENDED BY P.L.131-2009,  
11       SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
12       JULY 1, 2013]: Sec. 2. (a) This section applies only to an employer  
13       who employs individuals within the state.

14       (b) As used in this section, "date of hire" is:

15       **(1)** the first date that an employee provides labor or services to an  
16       employer; **or**

17       **(2) the first date that an employee resumes providing labor or**  
18       **services to an employer after a separation from service with**  
19       **the employer of at least sixty (60) days.**

20       (c) As used in this section, "employee":

21       (1) has the meaning set forth in Chapter 24 of the Internal  
22       Revenue Code of 1986; and

23       (2) includes any individual:

24       (A) required under Internal Revenue Service regulations to  
25       complete a federal form W-4; and

26       (B) who has provided services to an employer.

27       The term does not include an employee of a federal or state agency who  
28       performs intelligence or counter intelligence functions if the head of  
29       the agency determines that the reporting information required under  
30       this section could endanger the safety of the employee or compromise  
31       an ongoing investigation or intelligence mission.

32       (d) As used in this section, "employer" has the meaning set forth in  
33       Section 3401(d) of the Internal Revenue Code of 1986. The term  
34       includes:

35       (1) governmental agencies; **and**

36       **(2) labor organizations; and or**

37       ~~(2)~~ **(3)** a person doing business in the state as identified by:

38       (A) the person's federal employer identification number; or

39       (B) if applicable, the common paymaster, as defined in Section  
40       3121 of the Internal Revenue Code or the payroll reporting  
41       agent of the employer, as described in IRS Rev. Proc. 70-6,  
42       1970-1, C.B. 420.

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1 (e) As used in this section, "labor organization" has the meaning set  
2 forth in 42 U.S.C. 653A(a)(2)(B)(ii).

3 (f) As used in this section, "newly hired employee" means an  
4 employee who:

- 5 (1) has not previously been employed by an employer; or
- 6 (2) resumes service with an employer after a separation from  
7 service of at least sixty (60) days.

8 (f) (g) The department shall maintain the Indiana directory of new  
9 hires as required under 42 U.S.C. 653A.

10 (g) (h) The directory under subsection (f) (g) must contain the  
11 information for each newly hired employee that an employer must  
12 provide to the department for each newly hired employee as follows:  
13 under subsection (k).

14 (i) An employer must transmit the information required under  
15 subsection (k):

- 16 (1) The information must be transmitted within twenty (20)  
17 business days of the employee's date of hire; or
- 18 (2) if an employer transmits reports under this section the  
19 information is transmitted magnetically or electronically, the  
20 information must be transmitted in two (2) monthly transactions  
21 that are:
  - 22 (A) not less than twelve (12) days apart; and
  - 23 (B) not more than sixteen (16) days apart.

24 (j) If mailed, the A report containing the information required  
25 under subsection (k) is considered timely:

- 26 (1) if it is postmarked on or before the due date, whenever the  
27 report is mailed; or
- 28 (2) If the report is transmitted by facsimile machine or by using  
29 electronic or magnetic media, the report is considered timely if it  
30 is received on or before the due date, whenever the report is  
31 transmitted by:
  - 32 (A) facsimile machine; or
  - 33 (B) electronic or magnetic media.

34 (h) (k) The employer shall provide the information required under  
35 this section on an employee's withholding allowance certificate  
36 (Internal Revenue Service form W-4) or, at the employer's option, an  
37 equivalent form. The report may be transmitted to the department by  
38 first class mail, by facsimile machine, electronically, or magnetically.  
39 The report must include at least the following:

- 40 (1) The name, address, and Social Security number of the  
41 employee.
- 42 (2) The name, address, and federal tax identification number of

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1 the employer.  
 2 (3) The date of hire of the employee.  
 3 ~~(†)~~ **(I)** An employer that has employees in two (2) or more states and  
 4 that transmits reports under this section electronically or magnetically  
 5 may comply with this section by doing the following:  
 6 (1) Designating one (1) state to receive each report.  
 7 (2) Notifying the Secretary of the United States Department of  
 8 Health and Human Services which state will receive the reports.  
 9 (3) Transmitting the reports to the agency in the designated state  
 10 that is charged with receiving the reports.  
 11 ~~(†)~~ **(m)** The department may impose **the following** as a civil penalty:  
 12 of:  
 13 **(1) Twenty-five dollars (\$25) on an employer that fails to**  
 14 **comply with this section.**  
 15 **(2) Five hundred dollars (\$500) on an employer that fails to**  
 16 **comply with this section if the failure is a result of a conspiracy**  
 17 **between the employer and the employee to:**  
 18 ~~(†)~~ **(A)** not provide the required report; or  
 19 ~~(2)~~ **(B)** provide a false or an incomplete report.  
 20 ~~(†)~~ **(n)** The **department shall do the following with** information  
 21 received from an employer regarding newly hired employees: ~~shall be:~~  
 22 ~~(1) entered~~ **Enter the information** into the state's new hire  
 23 directory within five (5) business days of receipt. ~~and~~  
 24 ~~(2) forwarded~~ **Forward the information** to the national directory  
 25 of new hires **within not later than** three (3) business days after  
 26 **entry the information is entered** into the state's new hire  
 27 directory.  
 28 The state shall use quality control standards established by the  
 29 Administrators of the National Directory of New Hires.  
 30 ~~(†)~~ **(o)** The information contained in the Indiana directory of new  
 31 hires is available only for use by the department for purposes required  
 32 by 42 U.S.C. 653A, unless otherwise provided by law.  
 33 ~~(m)~~ **(p)** The department of child services (**established under**  
 34 **IC 31-25-1-1**) shall:  
 35 **(1)** reimburse the department for any costs incurred in carrying  
 36 out this section;  
 37 ~~(n)~~ **The department of child services and the department shall and**  
 38 **(2)** enter into a purchase of service agreement **with the**  
 39 **department** that establishes procedures necessary to administer  
 40 this section.  
 41 SECTION 9. [EFFECTIVE JULY 1, 2013] **(a) As used in this**  
 42 **SECTION, "committee" refers to the unemployment insurance**

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- 1 oversight committee established by IC 2-5-30-3.
- 2 (b) The general assembly urges the legislative council to assign
- 3 the committee the task of studying the following issues:
- 4 (1) The use of debit cards to pay unemployment insurance
- 5 benefits.
- 6 (2) The direct deposit of unemployment insurance benefits to
- 7 a claimant's own checking or savings account.
- 8 (c) If the committee is assigned the topics described in
- 9 subsection (b), the committee shall issue to the legislative council
- 10 a final report containing the committee's findings and
- 11 recommendations, including any recommended legislation
- 12 concerning the topics, in an electronic format under IC 5-14-6 not
- 13 later than November 1, 2013.
- 14 (d) This SECTION expires January 1, 2014.

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## COMMITTEE REPORT

Mr. Speaker: Your Committee on Employment, Labor and Pensions, to which was referred House Bill 1457, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17.

Delete page 2.

Page 3, delete line 1.

Page 10, between lines 2 and 3, begin a new paragraph and insert:  
 "SECTION 4. IC 22-4-14-3, AS AMENDED BY P.L.110-2010, SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 3. (a) An individual who is receiving benefits as determined under IC 22-4-15-1(c)(8) may restrict the individual's availability because of the individual's need to address the physical, psychological, or legal effects of being a victim of domestic or family violence (as defined in IC 31-9-2-42).

(b) An unemployed individual shall be eligible to receive benefits with respect to any week only if the individual:

- (1) is physically and mentally able to work;
- (2) is available for work;
- (3) is found by the department to be making an effort to secure full-time work; and
- (4) participates in reemployment services ~~such as job search assistance services; if the individual has been determined to be likely to exhaust regular benefits and to need reemployment services under a profiling system established by the department,~~ **and reemployment and eligibility assessment activities when directed by the department**, unless the department determines that:

(A) the individual has completed the reemployment services; or

(B) failure by the individual to participate in or complete the reemployment services is excused by the director under IC 22-4-14-2(b).

The term "effort to secure full-time work" shall be defined by the department through rule which shall take into consideration whether such individual has a reasonable assurance of reemployment and, if so, the length of the prospective period of unemployment. However, if an otherwise eligible individual is unable to work or unavailable for work on any normal work day of the week the individual shall be eligible to receive benefits with respect to such week reduced by one-third (1/3)

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of the individual's weekly benefit amount for each day of such inability to work or unavailability for work.

(c) For the purpose of this article, unavailability for work of an individual exists in, but is not limited to, any case in which, with respect to any week, it is found:

(1) that such individual is engaged by any unit, agency, or instrumentality of the United States, in charge of public works or assistance through public employment, or any unit, agency, or instrumentality of this state, or any political subdivision thereof, in charge of any public works or assistance through public employment;

(2) that such individual is in full-time active military service of the United States, or is enrolled in civilian service as a conscientious objector to military service;

(3) that such individual is suspended for misconduct in connection with the individual's work; or

(4) that such individual is in attendance at a regularly established public or private school during the customary hours of the individual's occupation or is in any vacation period intervening between regular school terms during which the individual is a student. However, this subdivision does not apply to any individual who is attending a regularly established school, has been regularly employed and upon becoming unemployed makes an effort to secure full-time work and is available for suitable full-time work with the individual's last employer, or is available for any other full-time employment deemed suitable.

(d) Notwithstanding any other provisions in this section or IC 22-4-15-2, no otherwise eligible individual shall be denied benefits for any week because the individual is in training with the approval of the department, nor shall such individual be denied benefits with respect to any week in which the individual is in training with the approval of the department by reason of the application of the provisions of this section with respect to the availability for work or active search for work or by reason of the application of the provisions of IC 22-4-15-2 relating to failure to apply for, or the refusal to accept, suitable work. The department shall by rule prescribe the conditions under which approval of such training will be granted.

(e) Notwithstanding subsection (b), (c), or (d), or IC 22-4-15-2, an otherwise eligible individual shall not be denied benefits for any week or determined not able, available, and actively seeking work, because the individual is responding to a summons for jury service. The individual shall:

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- (1) obtain from the court proof of the individual's jury service; and
- (2) provide to the department, in the manner the department prescribes by rule, proof of the individual's jury service.

**(f) For purposes of this section, reemployment services and reemployment and eligibility assessment activities provided to an individual:**

**(1) must include:**

- (A) orientation to the services available through a one stop center (as defined by IC 22-4.5-2-6);**
- (B) provision of labor market and career information;**
- (C) assessment of the individual's workforce and other job related skills; and**
- (D) a review of the individual's work search efforts; and**

**(2) may include:**

- (A) comprehensive and specialized assessments;**
- (B) individual and group career counseling;**
- (C) training services;**
- (D) additional services to assist the individual in becoming reemployed;**
- (E) job search counseling; and**
- (F) development and review of the individual's reemployment plan that includes the individual's participation in job search activities and appropriate workshops.**

**(g) The department may require an individual participating in reemployment and eligibility assessment activities described in this section to provide proof of identity."**

Page 10, delete lines 3 through 42.

Re-number all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1457 as introduced.)

GUTWEIN, Chair

Committee Vote: yeas 9, nays 3.

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## COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred House Bill No. 1457, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 3, line 14, delete "(i)," and insert "**section 1.5 of this chapter,**".

Page 4, delete lines 21 through 33, begin a new paragraph and insert:

"SECTION 2. IC 22-4-11-1.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: **Sec. 1.5. (a) As used in this section, "erroneous payment" means a payment that would not have been made but for the failure by an employer or a person acting on behalf of the employer with respect to a claim for unemployment benefits to which the payment relates.**

**(b) As used in this section, "pattern of failure" means a repeated and documented failure by an employer or a person acting on behalf of an employer to respond to requests for information made by the department, taking into consideration the number of failures in relation to the total number of requests received by the employer or the person acting on behalf of an employer.**

**(c) The experience account of an employer may not be relieved of charges for a benefit overpayment from the state's unemployment insurance benefit fund established by IC 22-4-26-1, if the department determines that:**

**(1) the erroneous payment was made because the employer or a person acting on behalf of the employer was at fault in failing to respond in a timely or adequate manner to the department's written request for information relating to the claim for unemployment benefits; and**

**(2) the employer or a person acting on behalf of the employer has established a pattern of failure to respond in a timely or adequate manner to department requests described in subdivision (1)."**

Page 7, line 18, delete "greater of five percent (5%)" and insert "**lesser of four percent (4%)**".

Page 7, between lines 31 and 32, begin a new paragraph and insert:

"SECTION 4. IC 22-4-11-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: **Sec. 4. (a) If the commissioner finds that any employer has failed to file any payroll report or has filed a report which the commissioner finds incorrect or**

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insufficient, the commissioner shall make an estimate of the information required from the employer on the basis of the best evidence reasonably available to the commissioner at the time and notify the employer thereof by mail addressed to the employer's last known address. Except as provided in subsection (b), unless the employer files the report or a corrected or sufficient report, as the case may be, within fifteen (15) days after the mailing of the notice, the commissioner shall compute the employer's rate of contribution on the basis of the estimates, and the rate determined in this manner shall be subject to increase ~~but not to reduction or decrease~~ on the basis of subsequently ascertained **and verified** information. The estimated amount of contribution is considered prima facie correct.

(b) The commissioner may adjust the amount of contribution estimated in this manner on the basis of information ascertained after the expiration of the notice period if the employer or other interested party:

- (1) makes an affirmative showing of all facts alleged as a reasonable cause for the failure to timely file any payroll report; and
- (2) submits accurate and reliable payroll reports."

Page 8, line 40, after "services" insert ",".

Page 8, line 40, reset in roman "such as job search".

Page 8, reset in roman lines 41 through 42.

Page 9, reset in roman line 1.

Page 17, after line 2, begin a new paragraph and insert:

**"SECTION 9. [EFFECTIVE JULY 1, 2013] (a) As used in this SECTION, "committee" refers to the unemployment insurance oversight committee established by IC 2-5-30-3.**

**(b) The general assembly urges the legislative council to assign the committee the task of studying the following issues:**

- (1) The use of debit cards to pay unemployment insurance benefits.**
- (2) The direct deposit of unemployment insurance benefits to a claimant's own checking or savings account.**

**(c) If the committee is assigned the topics described in subsection (b), the committee shall issue to the legislative council a final report containing the committee's findings and recommendations, including any recommended legislation concerning the topics, in an electronic format under IC 5-14-6 not later than November 1, 2013.**

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**(d) This SECTION expires January 1, 2014."**

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1457 as printed January 29, 2013.)

BOOTS, Chairperson

Committee Vote: Yeas 5, Nays 3.

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