

(Corrected)

Session of 2024

**HOUSE BILL No. 2570**

By Committee on Commerce, Labor and Economic Development

Requested by Representative Tarwater

1-23

1 AN ACT concerning employment security law; relating to the definition of  
2 benefit year, temporary unemployment, wages, statewide average  
3 annual wage and statewide average weekly wage; referencing certain  
4 new definitions for purposes of the annual determination by the  
5 secretary of the maximum weekly benefit amount; requiring electronic  
6 filing of wage reports, contribution returns and payments and interest  
7 assessments for employers with 25 or more employees; establishing  
8 minimum qualifications for candidates for membership on the  
9 employment security board of review and initial review of such  
10 candidates by the director of unemployment; extending when the  
11 mandatory combination of rates and the establishment of a new account  
12 due to a business acquisition must occur from the beginning of the  
13 following quarter to the beginning of the following year; making  
14 certain changes to the schedules governing employer contribution rates;  
15 removing obsolete language pertaining to the employment security  
16 interest assessment fund and abolishing such fund; requiring the  
17 secretary to create an audit process within the new unemployment  
18 insurance information technology system to permit employers to  
19 submit reports regarding work search, the my reemployment plan and  
20 claimants who do not provide notification or appear for scheduled  
21 interviews; providing for notices by the secretary to active employers  
22 regarding work search noncompliance reporting options; confirming  
23 the legislative coordinating council's authority to extend the new  
24 unemployment insurance information technology system's  
25 implementation date retroactively and as often as deemed appropriate  
26 by the council; requiring the secretary to notify the council of the need  
27 for an extension; authorizing the secretary to extend temporary  
28 unemployment for limited periods upon request by employers and  
29 allowing for additional temporary unemployment when requested by  
30 employers engaged in certain industries; requiring the secretary to  
31 annually post on the secretary's website certain additional calculations  
32 and data; changing the timing of employer benefit charge notices from  
33 annually to quarterly; removing the exemption for benefit charges less  
34 than \$100; amending K.S.A. 44-704, 44-705, 44-709, 44-710, 44-710b,  
35 44-717, 44-771, 44-772 and 44-774 and K.S.A. 2023 Supp. 44-703, 44-

PROPOSED AMENDMENT  
HOUSE COMMERCE, LABOR AND ECONOMIC DEVELOPMENT  
2/15/2024

Changes to Secretary's annual certification memo provisions

Prepared by Office of Revisor of Statutes.

1 (A) The average high cost benefit rate currently in effect; and  
 2 (B) the benefit cost rate for the fiscal years used to calculate the  
 3 average high benefit cost rate;

4 (3) *the statewide wage data, including:*

5 (A) *Statewide average annual wage (SAAW) for the fiscal year; and*

6 (B) *statewide average weekly wage (SAWW) for the fiscal year; and*

7 ~~(4) certified computations and data for contributing negative rated~~  
 8 ~~employers assigned to rate groups N1 through N11, including, for the~~  
 9 ~~current and most recent calculated three years:~~

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10 (A) ~~Employer account ID;~~

11 ~~(B) NAICS code;~~

12 (C) *the employer's account balance by fiscal year;*

13 (D) *the employer's taxable wages by fiscal year;*

14 (E) *the employer's calculated reserve ratio by fiscal year;*

15 (F) *the employer's taxable wage base by fiscal year;*

16 (G) *the benefits charged to the employer by fiscal year;*

17 (H) *the total number of temporary weeks requested by the employer,*  
 18 *if any;*

19 (I) *the total number of temporary weeks approved for the employer, if*  
 20 *any;*

21 (J) *the total number of temporary weeks claimed by the employer, if*  
 22 *any;*

23 (K) *if workshare was requested by the employer; and*

24 (L) *if workshare was approved for the employer.*

25 (c) This section shall be a part of and supplemental to the  
 26 employment security law.

27 Sec. 12. K.S.A. 2023 Supp. 44-775 is hereby amended to read as  
 28 follows: 44-775. (a) (1) The secretary of labor and the secretary of  
 29 commerce shall jointly establish and implement the my reemployment  
 30 plan as provided in this section. For purposes of this section, "my  
 31 reemployment plan" means a program jointly established and implemented  
 32 by the Kansas department of labor and the Kansas department of  
 33 commerce that provides enhanced reemployment services, including  
 34 workforce services provided by the department of commerce, to Kansans  
 35 receiving unemployment insurance benefits.

36 (2) The program shall be required for all claimants except claimants  
 37 that are:

38 (A) In the shared work program;

39 (B) *in the trade adjustment assistance and trade readjustment*  
 40 *assistance program, claimants on temporary layoff with a return-to-work*  
 41 *date but such claimants shall only be excepted during any first 8*  
 42 *consecutive weeks of benefits, claimants that are; and*

43 (C) *on temporary unemployment as defined in K.S.A. 44-703(ii), and*

(c) The secretary of labor shall prepare and submit an annual certification memo regarding

(1) Beginning in 2025 and ensuing years, the secretary shall submit the certification memo on or before January 15 of each calendar year. The certification memo shall be for the 12-month period ending on June 30 of the preceding calendar year. The secretary shall consider contributions paid after such 12-month period ending on June 30 that are paid on or before the immediately following July 31 in preparing the certification memo.

(2) The secretary shall submit the certification memo to the chairpersons, **vice chairpersons and ranking minority members** of the standing committees of the senate and the house of representatives to which legislation pertaining to the employment security law is customarily referred, the president of the senate and the speaker of the house of representatives, the governor and the legislative coordinating council.

(3) The certification shall include

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