

House Bill 89

In The House

January 6, 1981

Introduced and referred
to Committee on Labor
and Industry.

January 17, 1981

Committee recommend bill
do not pass.

1 HOUSE BILL NO. 89
2 INTRODUCED BY MOORE

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION
5 39-51-2104, MCA, TO MAKE A PERSON INELIGIBLE TO RECEIVE
6 UNEMPLOYMENT COMPENSATION BENEFITS FOR 3 MONTHS FROM DATE OF
7 UNEMPLOYMENT IF HIS GROSS INCOME IN THE PRECEDING THREE
8 QUARTERS EXCEEDS \$24,000."

9
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 Section 1. Section 39-51-2104, MCA, is amended to
12 read:

13 "39-51-2104. General benefit eligibility conditions.
14 An unemployed individual is eligible to receive benefits for
15 any week of total unemployment within his benefit year only
16 if the division finds that:

17 (1) he has registered for work at and thereafter has
18 continued to report at an employment office in accordance
19 with such regulation as the division may prescribe, except
20 that the division may, by regulation, prescribe that in
21 cases in which it finds such requirements oppressive or
22 inconsistent with the purposes of this chapter, an
23 unemployed individual may register and report for work by
24 rail or through other governmental agencies;

25 (2) he has made a claim for benefits in accordance

1 with the provisions of 39-51-2401;

2 (3) he is able to work and is available for work and
3 is seeking work; provided, however, that no claimant is
4 considered ineligible in any week of unemployment for
5 failure to comply with the provisions of this subsection if
6 such failure is due to an illness or disability which occurs
7 after he has registered for work and no suitable work has
8 been offered to such claimant after the beginning of such
9 illness or disability;

10 (4) prior to any week for which he claims benefits he
11 has been totally unemployed for a waiting period of 1 week.
12 However, if claimant's benefit year expires during a period
13 of compensable unemployment, claimant will continue to
14 receive weekly benefits in a new benefit year, if otherwise
15 eligible, without interruption to serve the waiting week for
16 the new benefit year but will thereafter be required to
17 serve the waiting week before receiving benefits during
18 subsequent unemployment in the new benefit year. No week is
19 counted as a week of total unemployment for the purposes of
20 this subsection:

- 21 (a) if benefits have been paid with respect thereto;
22 (b) unless the individual was eligible for benefits
23 with respect thereto;
24 (c) unless it occurs within the benefit year of the
25 claimant;

1 (d) unless it occurs after benefits first could become
2 payable to any individual under this chapter;

3 ~~(5) he has been unemployed for a period of 90~~
4 ~~consecutive days or 90 cumulative days in any given 9-month~~
5 ~~period prior to his claim for benefits if his gross income~~
6 ~~or his gross income combined with the gross income of his~~
7 ~~spouse in the three quarters preceding the date of~~
8 ~~unemployment exceeds \$24,000."~~

-End-