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1 A bill to be entitled
 2 An act relating to Unemployment Compensation; reviving,
 3 readopting, and amending s. 443.1117, F.S.; providing for
 4 retroactive application; establishing temporary state
 5 extended benefits for weeks of unemployment; amending
 6 definitions; providing for state extended benefits for
 7 certain weeks and for periods of high unemployment;
 8 providing for applicability of s. 443.1117, F.S.; amending
 9 s. 443.1217, F.S.; reducing amount of exempt wages
 10 beginning January 1, 2010; raising amount of exempt wages
 11 beginning January 1, 2012; amending s. 443.131, F.S.;
 12 providing that the positive adjustment factor begins
 13 January 1, 2012; requiring an employer assessment when
 14 federal advance interest is due; requiring Revenue
 15 Estimating Conference to calculate interest based on
 16 certain factors at a date certain; requiring an assessment
 17 by a date certain; providing a formula for calculation of
 18 the employer interest assessment rate and payment;
 19 providing for a separate interest collection by tax
 20 collection service provider; naming an account to hold
 21 interest collected until payment is directed; providing
 22 for a suspension or termination of assessment under
 23 certain circumstances; providing credit for interest funds
 24 collected prior to suspension or termination; providing a
 25 limitation; providing for elimination of provisions that
 26 interfere with federal interest relief or federal tax
 27 credit; amending s. 443.141; F.S.; providing retroactive
 28 date; providing schedule of employer payments for 2010 and

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29 | 2011; providing for penalties, interest, and fees on
 30 | delinquent contributions; providing an appropriation for
 31 | purposes of implementation; providing that the act
 32 | fulfills an important state interest; providing a
 33 | retroactive effective date.

34 |
 35 | Be It Enacted by the Legislature of the State of Florida:
 36 |

37 | Section 1. Notwithstanding the expiration date contained
 38 | in section 4 of chapter 2009-99, Laws of Florida, effective upon
 39 | becoming a law, retroactive to January 2, 2010, and expiring
 40 | February 27, 2010, section 443.1117, Florida Statutes, is
 41 | revived, readopted, and amended to read:

42 | 443.1117 Temporary extended benefits.—

43 | (1) APPLICABILITY OF EXTENDED BENEFITS STATUTE.—Except
 44 | when the result is inconsistent with the other provisions of
 45 | this section, the provisions of s. 443.1115(3), (4), (6), and
 46 | (7) apply to all claims covered by this section.

47 | (2) DEFINITIONS.—For the purposes of this section, the
 48 | term:

49 | (a) "Regular benefits" and "extended benefits" have the
 50 | same meaning as in s. 443.1115.

51 | (b) "Eligibility period" means the period consisting of
 52 | the weeks in an individual's benefit year or emergency benefit
 53 | period which begin in an extended benefit period and, if the
 54 | benefit year or emergency benefit period ends within that
 55 | extended benefit period, any subsequent weeks beginning in that
 56 | period.

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57 (c) "Emergency benefits" means Emergency Unemployment
 58 Compensation paid pursuant to Pub. L. No. 110-252, Pub. L. No.
 59 110-449, ~~and~~ Pub. L. No. 111-5, Pub.L. 111-92, and Pub.L. 111-
 60 118.

61 (d) "Extended benefit period" means a period that:
 62 1. Begins with the third week after a week for which there
 63 is a state "on" indicator; and
 64 2. Ends with any of the following weeks, whichever occurs
 65 later:
 66 a. The third week after the first week for which there is
 67 a state "off" indicator;
 68 b. The 13th consecutive week of that period.

69
 70 However, an extended benefit period may not begin by reason of a
 71 state "on" indicator before the 14th week after the end of a
 72 prior extended benefit period that was in effect for this state.

73 (e) "Emergency benefit period" means the period during
 74 which an individual receives emergency benefits as defined in
 75 paragraph (c).

76 (f) "Exhaustee" means an individual who, for any week of
 77 unemployment in her or his eligibility period:

78 1. Has received, before that week, all of the regular
 79 benefits and emergency benefits, if any, available under this
 80 chapter or any other law, including dependents' allowances and
 81 benefits payable to federal civilian employees and ex-
 82 servicemembers under 5 U.S.C. ss. 8501-8525, in the current
 83 benefit year or emergency benefit period that includes that
 84 week. For the purposes of this subparagraph, an individual has

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85 received all of the regular benefits and emergency benefits, if
 86 any, available although, as a result of a pending appeal for
 87 wages paid for insured work which were not considered in the
 88 original monetary determination in the benefit year, she or he
 89 may subsequently be determined to be entitled to added regular
 90 benefits;

91 2. Had a benefit year which expired before that week, and
 92 was paid no, or insufficient, wages for insured work on the
 93 basis of which she or he could establish a new benefit year that
 94 includes that week; and

95 3.a. Has no right to unemployment benefits or allowances
 96 under the Railroad Unemployment Insurance Act or other federal
 97 laws as specified in regulations issued by the United States
 98 Secretary of Labor; and

99 b. Has not received and is not seeking unemployment
 100 benefits under the unemployment compensation law of Canada; but
 101 if an individual is seeking those benefits and the appropriate
 102 agency finally determines that she or he is not entitled to
 103 benefits under that law, she or he is considered an exhaustee.

104 (g) "State 'on' indicator" means, with respect to weeks of
 105 unemployment beginning on or after February 1, 2009, and ending
 106 on or before January 30, 2010~~December 12, 2009~~, the occurrence
 107 of a week in which the average total unemployment rate,
 108 seasonally adjusted, as determined by the United States
 109 Secretary of Labor, for the period consisting of the most recent
 110 3 months for which data for all states are published by the
 111 United States Department of Labor:

112 1. Equals or exceeds 110 percent of the average of those

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113 rates for the corresponding 3-month period ending in each of the
 114 preceding 2 calendar years; and

115 2. Equals or exceeds 6.5 percent.

116 (h) "High unemployment period" means, with respect to
 117 weeks of unemployment beginning on or after February 1, 2009,
 118 and ending on or before January 30, 2010~~December 12, 2009~~, any
 119 week in which the average total unemployment rate, seasonally
 120 adjusted, as determined by the United States Secretary of Labor,
 121 for the period consisting of the most recent 3 months for which
 122 data for all states are published by the United States
 123 Department of Labor:

124 1. Equals or exceeds 110 percent of the average of those
 125 rates for the corresponding 3-month period ending in each of the
 126 preceding 2 calendar years; and

127 2. Equals or exceeds 8 percent.

128 (i) "State 'off' indicator" means the occurrence of a week
 129 in which there is no state "on" indicator or which does not
 130 constitute a high unemployment period.

131 (3) TOTAL EXTENDED BENEFIT AMOUNT.—Except as provided in
 132 subsection (4)~~(5)~~:

133 (a) For any week for which there is an "on" indicator
 134 pursuant to paragraph (2)(g), the total extended benefit amount
 135 payable to an eligible individual for her or his applicable
 136 benefit year is the lesser of:

137 1. Fifty percent of the total regular benefits payable
 138 under this chapter in the applicable benefit year; or

139 2. Thirteen times the weekly benefit amount payable under
 140 this chapter for a week of total unemployment in the applicable

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141 benefit year.

142 (b) For any high unemployment period as defined in
 143 paragraph (2)(h), the total extended benefit amount payable to
 144 an eligible individual for her or his applicable benefit year is
 145 the lesser of:

146 1. Eighty percent of the total regular benefits payable
 147 under this chapter in the applicable benefit year; or

148 2. Twenty times the weekly benefit amount payable under
 149 this chapter for a week of total unemployment in the applicable
 150 benefit year.

151 (4) EFFECT ON TRADE READJUSTMENT.—Notwithstanding any
 152 other provision of this chapter, if the benefit year of an
 153 individual ends within an extended benefit period, the number of
 154 weeks of extended benefits the individual is entitled to receive
 155 in that extended benefit period for weeks of unemployment
 156 beginning after the end of the benefit year, except as provided
 157 in this section, is reduced, but not to below zero, by the
 158 number of weeks for which the individual received, within that
 159 benefit year, trade readjustment allowances under the Trade Act
 160 of 1974, as amended.

161 Section 2. The provisions of s. 443.1117, Florida
 162 Statutes, as revived, readopted, and amended by this act, apply
 163 only to claims for weeks of unemployment, in which an exhaustee
 164 establishes entitlement to extended benefits pursuant to that
 165 section which are established for the period between February
 166 22, 2009, and February 27, 2010.

167 Section 3. Paragraph (a) of subsection (2) of section
 168 443.1217, Florida Statutes, is amended to read:

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169 443.1217 Wages.—

170 (2) For the purpose of determining an employer's

171 contributions, the following wages are exempt from this chapter:

172 (a) 1. Beginning January 1, 2010, that part of

173 remuneration paid to an individual by an employer for employment

174 during a calendar year in excess of the first \$7,000 of

175 remuneration paid to the individual by an employer or his or her

176 predecessor during that calendar year, unless that part of the

177 remuneration is subject to a tax, under a federal law imposing

178 the tax, against which credit may be taken for contributions

179 required to be paid into a state unemployment fund.

180 2. Beginning January 1, 2012, that part of remuneration

181 paid to an individual by an employer for employment during a

182 calendar year in excess of the first \$8,500 of remuneration paid

183 to the individual by the employer or his or her predecessor

184 during that calendar year, unless that part of the remuneration

185 is subject to a tax, under a federal law imposing the tax,

186 against which credit may be taken for contributions required to

187 be paid into a state unemployment fund. ~~As used in this section~~

188 ~~only, the term "employment" includes services constituting~~

189 ~~employment under any employment security law of another state or~~

190 ~~of the Federal Government.~~

191 3. Beginning January 1, 2015, the part of remuneration

192 paid to an individual by an employer for employment during a

193 calendar year in excess of the first \$7,000 is exempt from this

194 chapter.

195 As used in this section only, the term "employment"

196 includes services constituting employment under any employment

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197 | security law of another state or of the Federal Government.

198 | Section 4. Paragraph (e) of subsection (3) is amended and
199 | subsections (5) and (6) are created in section 443.131, Florida
200 | Statutes, to read:

201 | 443.131 Contributions.—

202 | (3) VARIATION OF CONTRIBUTION RATES BASED ON BENEFIT
203 | EXPERIENCE.—

204 | (e) Assignment of variations from the standard rate.—For
205 | the calculation of contribution rates effective January 1, 2010,
206 | and thereafter:

207 | 1. The tax collection service provider shall assign a
208 | variation from the standard rate of contributions for each
209 | calendar year to each eligible employer. In determining the
210 | contribution rate, varying from the standard rate to be assigned
211 | each employer, adjustment factors computed under sub-
212 | subparagraphs a.-d. shall be added to the benefit ratio. This
213 | addition shall be accomplished in two steps by adding a variable
214 | adjustment factor and a final adjustment factor. The sum of
215 | these adjustment factors computed under sub-subparagraphs a.-d.
216 | shall first be algebraically summed. The sum of these adjustment
217 | factors shall next be divided by a gross benefit ratio
218 | determined as follows: Total benefit payments for the 3-year
219 | period described in subparagraph (b)2. shall be charged to
220 | employers eligible for a variation from the standard rate, minus
221 | excess payments for the same period, divided by taxable payroll
222 | entering into the computation of individual benefit ratios for
223 | the calendar year for which the contribution rate is being
224 | computed. The ratio of the sum of the adjustment factors

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225 computed under sub-subparagraphs a.-d. to the gross benefit
 226 ratio shall be multiplied by each individual benefit ratio that
 227 is less than the maximum contribution rate to obtain variable
 228 adjustment factors; except that in any instance in which the sum
 229 of an employer's individual benefit ratio and variable
 230 adjustment factor exceeds the maximum contribution rate, the
 231 variable adjustment factor shall be reduced in order that the
 232 sum equals the maximum contribution rate. The variable
 233 adjustment factor for each of these employers is multiplied by
 234 his or her taxable payroll entering into the computation of his
 235 or her benefit ratio. The sum of these products shall be divided
 236 by the taxable payroll of the employers who entered into the
 237 computation of their benefit ratios. The resulting ratio shall
 238 be subtracted from the sum of the adjustment factors computed
 239 under sub-subparagraphs a.-d. to obtain the final adjustment
 240 factor. The variable adjustment factors and the final adjustment
 241 factor shall be computed to five decimal places and rounded to
 242 the fourth decimal place. This final adjustment factor shall be
 243 added to the variable adjustment factor and benefit ratio of
 244 each employer to obtain each employer's contribution rate. An
 245 employer's contribution rate may not, however, be rounded to
 246 less than 0.1 percent.

247 a. An adjustment factor for noncharge benefits shall be
 248 computed to the fifth decimal place and rounded to the fourth
 249 decimal place by dividing the amount of noncharge benefits
 250 during the 3-year period described in subparagraph (b)2. by the
 251 taxable payroll of employers eligible for a variation from the
 252 standard rate who have a benefit ratio for the current year

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253 | which is less than the maximum contribution rate. For purposes
 254 | of computing this adjustment factor, the taxable payroll of
 255 | these employers is the taxable payrolls for the 3 years ending
 256 | June 30 of the current calendar year as reported to the tax
 257 | collection service provider by September 30 of the same calendar
 258 | year. As used in this sub-subparagraph, the term "noncharge
 259 | benefits" means benefits paid to an individual from the
 260 | Unemployment Compensation Trust Fund, but which were not charged
 261 | to the employment record of any employer.

262 | b. An adjustment factor for excess payments shall be
 263 | computed to the fifth decimal place, and rounded to the fourth
 264 | decimal place by dividing the total excess payments during the
 265 | 3-year period described in subparagraph (b)2. by the taxable
 266 | payroll of employers eligible for a variation from the standard
 267 | rate who have a benefit ratio for the current year which is less
 268 | than the maximum contribution rate. For purposes of computing
 269 | this adjustment factor, the taxable payroll of these employers
 270 | is the same figure used to compute the adjustment factor for
 271 | noncharge benefits under sub-subparagraph a. As used in this
 272 | sub-subparagraph, the term "excess payments" means the amount of
 273 | benefits charged to the employment record of an employer during
 274 | the 3-year period described in subparagraph (b)2., less the
 275 | product of the maximum contribution rate and the employer's
 276 | taxable payroll for the 3 years ending June 30 of the current
 277 | calendar year as reported to the tax collection service provider
 278 | by September 30 of the same calendar year. As used in this sub-
 279 | subparagraph, the term "total excess payments" means the sum of
 280 | the individual employer excess payments for those employers that

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281 | were eligible to be considered for assignment of a contribution
 282 | rate different from the standard rate.

283 | c.(I) Beginning January 1, 2012, if the balance of the
 284 | Unemployment Compensation Trust Fund on June 30 of the calendar
 285 | year immediately preceding the calendar year for which the
 286 | contribution rate is being computed is less than 4 percent of
 287 | the taxable payrolls for the year ending June 30 as reported to
 288 | the tax collection service provider by September 30 of that
 289 | calendar year, a positive adjustment factor shall be computed.
 290 | The positive adjustment factor shall be computed annually to the
 291 | fifth decimal place and rounded to the fourth decimal place by
 292 | dividing the sum of the total taxable payrolls for the year
 293 | ending June 30 of the current calendar year as reported to the
 294 | tax collection service provider by September 30 of that calendar
 295 | year into a sum equal to one-third of the difference between the
 296 | balance of the fund as of June 30 of that calendar year and the
 297 | sum of 5 percent of the total taxable payrolls for that year.
 298 | The positive adjustment factor remains in effect for subsequent
 299 | years until the balance of the Unemployment Compensation Trust
 300 | Fund as of June 30 of the year immediately preceding the
 301 | effective date of the contribution rate equals or exceeds 5
 302 | percent of the taxable payrolls for the year ending June 30 of
 303 | the current calendar year as reported to the tax collection
 304 | service provider by September 30 of that calendar year.

305 | (II) Beginning January 1, 2015, and for each year
 306 | thereafter, the positive adjustment authorized by this section
 307 | shall be computed by dividing the sum of the total taxable
 308 | payrolls for the year ending June 30 of the current calendar

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309 year as reported to the tax collection service provider by
 310 September 30 of that calendar year into a sum equal to one-
 311 fourth of the difference between the balance of the fund as of
 312 June 30 of that calendar year and the sum of 5 percent of the
 313 total taxable payrolls for that year. The positive adjustment
 314 factor remains in effect for subsequent years until the balance
 315 of the Unemployment Compensation Trust Fund as of June 30 of the
 316 year immediately preceding the effective date of the
 317 contribution rate equals or exceeds 4 percent of the taxable
 318 payrolls for the year ending June 30 of the current calendar
 319 year as reported to the tax collection service provider by
 320 September 30 of that calendar year.

321 d. If, beginning January 1, 2015, and each year
 322 thereafter, the balance of the Unemployment Compensation Trust
 323 Fund as of June 30 of the year immediately preceding the
 324 calendar year for which the contribution rate is being computed
 325 exceeds 5 percent of the taxable payrolls for the year ending
 326 June 30 of the current calendar year as reported to the tax
 327 collection service provider by September 30 of that calendar
 328 year, a negative adjustment factor shall be computed. The
 329 negative adjustment factor shall be computed annually beginning
 330 on January 1, 2015, and each year thereafter, to the fifth
 331 decimal place and rounded to the fourth decimal place by
 332 dividing the sum of the total taxable payrolls for the year
 333 ending June 30 of the current calendar year as reported to the
 334 tax collection service provider by September 30 of the calendar
 335 year into a sum equal to one-fourth of the difference between
 336 the balance of the fund as of June 30 of the current calendar

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337 | year and 5 percent of the total taxable payrolls of that year.
 338 | The negative adjustment factor remains in effect for subsequent
 339 | years until the balance of the Unemployment Compensation Trust
 340 | Fund as of June 30 of the year immediately preceding the
 341 | effective date of the contribution rate is less than 5 percent,
 342 | but more than 4 percent of the taxable payrolls for the year
 343 | ending June 30 of the current calendar year as reported to the
 344 | tax collection service provider by September 30 of that calendar
 345 | year. The negative adjustment authorized by this section is
 346 | suspended in any calendar year in which repayment of the
 347 | principal amount of an advance received from the federal
 348 | Unemployment Compensation Trust Fund under 42 U.S.C. s. 1321 is
 349 | due to the Federal Government.

350 | e. The maximum contribution rate that may be assigned to
 351 | an employer is 5.4 percent, except employers participating in an
 352 | approved short-time compensation plan may be assigned a maximum
 353 | contribution rate that is 1 percent greater than the maximum
 354 | contribution rate for other employers in any calendar year in
 355 | which short-time compensation benefits are charged to the
 356 | employer's employment record.

357 | f. As used in this subsection, "taxable payroll" shall be
 358 | determined by excluding any part of the remuneration paid to an
 359 | individual by an employer for employment during a calendar year
 360 | in excess of the first \$7,000.

361 | 2. If the transfer of an employer's employment record to
 362 | an employing unit under paragraph (f) which, before the
 363 | transfer, was an employer, the tax collection service provider
 364 | shall recompute a benefit ratio for the successor employer based

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365 on the combined employment records and reassign an appropriate
 366 contribution rate to the successor employer effective on the
 367 first day of the calendar quarter immediately after the
 368 effective date of the transfer.

369 (5) When the Unemployment Compensation Trust Fund has
 370 received advances from the Federal Government under the
 371 provisions of 42 U.S.C. 1321, each contributing employer, except
 372 for reimbursable employers, shall be assessed an additional rate
 373 solely for the purpose of paying interest due on such federal
 374 advances. The additional rate shall be assessed no later than
 375 February 1 in each calendar year that an interest payment is
 376 due. The Revenue Estimating Conference shall estimate the amount
 377 of such interest no later than December 1 of the calendar year
 378 preceding the calendar year in which an interest payment is due.
 379 The Revenue Estimating Conference shall, at a minimum, consider
 380 the following as the basis for the estimate: the amounts
 381 actually advanced to the trust fund; amounts expected to be
 382 advanced to the trust fund based on current and projected
 383 unemployment patterns and employer contributions; the interest
 384 payment due date; and the interest rate that will be applied by
 385 the federal government to any accrued outstanding balances. The
 386 additional rate assessed for a calendar year shall be determined
 387 by dividing the estimated amount of interest to be paid in that
 388 year by 95 percent of the taxable wages as defined in s.
 389 443.1217 paid by all employers for the year ending June 30 of
 390 the immediately preceding calendar year. The amount to be paid
 391 by each employer shall be the product obtained by multiplying
 392 such employer's taxable wages as defined in s. 443.1217 for the

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393 year ending June 30 of the immediately preceding calendar year
 394 by the rate as heretofore determined by provisions of this
 395 subsection. The tax collection service provider shall make a
 396 separate collection of such assessment, which may be collected
 397 at the time of employer contributions and subject to the same
 398 penalties for failure to file a report, imposition of the
 399 standard rate pursuant to s. 443.131(3)(h), and interest if the
 400 assessment is not received on or before June 30. The tax
 401 collection service provider shall maintain those funds in the
 402 tax collection service provider's Audit and Warrant Clearing
 403 Trust Fund until such time it is directed to make the interest
 404 payment to the Federal Government. However, if the state is
 405 permitted to defer interest payments due during a calendar year
 406 under 42 U.S.C. 1322, payment of the interest assessment shall
 407 not be due. If a deferral of interest expires or is subsequently
 408 disallowed by the Federal Government, either prospectively or
 409 retroactively, the interest assessment shall be immediately due
 410 and payable. Notwithstanding any other provision of this
 411 section, if interest due during a calendar year on federal
 412 advances is forgiven or postponed under federal law and is no
 413 longer due during that calendar year, no interest assessment
 414 shall be assessed against an employer for that calendar year and
 415 any assessment already assessed and collected against an
 416 employer before the forgiveness or postponement of the interest
 417 for that calendar year shall be credited to such employer's
 418 account in the Unemployment Compensation Trust Fund. However,
 419 such funds may only be used to pay benefits or refunds of
 420 erroneous contributions.

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421 (6). If any provision of this section prevents the state
 422 from qualifying for any federal interest relief provisions
 423 provided under section 1202 of the social security act, 42 USC
 424 1322, or prevents employers in this state from qualifying for
 425 the limitation on the reduction of federal unemployment tax act
 426 credits as provided under section 3302(f) of the federal
 427 unemployment tax act, 26 USC 3302(f), that provision is invalid
 428 to the extent necessary to maintain qualification for the
 429 interest relief provisions and federal unemployment tax credits.

430 Section 5. Effective upon becoming a law, and retroactive
 431 to January 1, 2010, subsection (1) of section 443.141, Florida
 432 Statutes, is amended to read:

433 443.141 Collection of contributions and reimbursements.—

434 (1) PAST DUE CONTRIBUTIONS AND REIMBURSEMENTS.—

435 (d) Payments for 2010 Contributions. A contributing
 436 employer may pay its quarterly contributions due for wages paid
 437 in the first three quarters of 2010 in equal installments
 438 provided those contributions are paid as follows:

439 1. For contributions due for wages paid in the first
 440 quarter of 2010, one-fourth of the contributions due shall be
 441 paid on or before April 30, 2010, one-fourth shall be paid on or
 442 before July 31, 2010, one-fourth shall be paid on or before
 443 October 31, 2010, and the remaining one-fourth shall be paid on
 444 or before December 31, 2010.

445 2. In addition to the payments specified in 1., for
 446 contributions due for wages paid in the second quarter of 2010,
 447 one-third of the contributions due shall be paid on or before
 448 July 31, 2010, one-third shall be paid on or before October 31,

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449 2010, and the remaining one-third shall be paid on or before
 450 December 31, 2010.

451 3. In addition to the payments specified in 1. and 2.
 452 above, for contributions due for wages paid in the third quarter
 453 of 2010, one-half of the contributions due shall be paid on or
 454 before October 31, 2010, and the remaining one-half shall be
 455 paid on or before December 31, 2010.

456 4. Interest will not accrue on any contribution that
 457 becomes due for wages paid in the first three quarters of 2010
 458 provided the employer pays the contributions in accordance with
 459 subparagraphs 1.-3. Interest and fees will continue to accrue on
 460 prior delinquent contributions and will commence to accrue on
 461 all contributions due for wages paid in the first three quarters
 462 of 2010 that are not paid in accordance with subparagraphs 1.-3.
 463 Penalties may be assessed in accordance with the provisions of
 464 this chapter. The contributions due for wages paid in the fourth
 465 quarter of 2010 are not affected by this paragraph and are due
 466 and payable in accordance with the provisions of this chapter.

467 (e) Payments for 2011 Contributions. A contributing
 468 employer may pay its quarterly contributions due for wages paid
 469 in the first three quarters of 2011 in equal installments
 470 provided those contributions are paid as follows:

471 1. For contributions due for wages paid in the first
 472 quarter of 2011, one-fourth of the contributions due shall be
 473 paid on or before April 30, 2011, one-fourth shall be paid on or
 474 before July 31, 2011, one-fourth shall be paid on or before
 475 October 31, 2011, and the remaining one-fourth shall be paid on
 476 or before December 31, 2011.

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477 2. In addition to the payments specified in 1., for
 478 contributions due for wages paid in the second quarter of 2011,
 479 one-third of the contributions due shall be paid on or before
 480 July 31, 2011, one-third shall be paid on or before October 31,
 481 2011, and the remaining one-third shall be paid on or before
 482 December 31, 2011.

483 3. In addition to the payments specified in 1. and 2.
 484 above, for contributions due for wages paid in the third quarter
 485 of 2011, one-half of the contributions due shall be paid on or
 486 before October 31, 2011, and the remaining one-half shall be
 487 paid on or before December 31, 2011.

488 4. Interest will not accrue on any contribution that
 489 becomes due for wages paid in the first three quarters of 2011
 490 provided the employer pays the contributions in accordance with
 491 subparagraphs 1.-3. Interest and fees will continue to accrue on
 492 prior delinquent contributions and will commence to accrue on
 493 all contributions due for wages paid in the first three quarters
 494 of 2011 that are not paid in accordance with subparagraphs 1.-3.
 495 Penalties may be assessed in accordance with the provisions of
 496 this chapter. The contributions due for wages paid in the fourth
 497 quarter of 2011 are not affected by this paragraph and are due
 498 and payable in accordance with the provisions of this chapter.

499 Section 6. For the 2009-2010 fiscal year, the sum of
 500 \$1,269,817 is appropriated from the Employment Security
 501 Administration Trust Fund in the contracted services
 502 appropriation category within the Agency for Workforce
 503 Innovation's Unemployment Compensation budget entity to be used
 504 to implement this act. In addition, for the 2009-2010 fiscal

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505 year, the sum of \$1,269,817 is appropriated from the Federal
 506 Grants Trust Fund in a lump sum appropriation category within
 507 the Department of Revenue to be used to implement this act.

508 Section 7. The Legislature finds that this act fulfills an
 509 important state interest.

510 Section 8. Except as otherwise expressly provided in this
 511 act, this act shall take effect upon becoming law, retroactive
 512 to June 29, 2009.