SENATE BILL No. 86

DIGEST OF INTRODUCED BILL

Citations Affected: IC 22-4-17-1.

Synopsis: Unemployment benefits qualifications. Requires that an applicant for unemployment benefits must state, under penalty of perjury, that the applicant will refrain from the knowing or intentional possession and use of: (1) a controlled substance; or (2) a controlled substance analog; without a valid prescription or an order from a practitioner during the period that the applicant receives benefits if benefits are awarded.

Effective: July 1, 2011.

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January 5, 2011, read first time and referred to Committee on Pensions and Labor.

C o p y

Introduced

First Regular Session 117th General Assembly (2011)

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 2010 Regular Session of the General Assembly.

C o p y

SENATE BILL No. 86

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:

SECTION 1. IC 22-4-17-1, AS AMENDED BY P.L.175-2009, SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 1. (a) Claims for benefits shall be made in accordance with rules adopted by the department. The department shall adopt reasonable procedures consistent with the provisions of this article for the expediting of the taking of claims of individuals for benefits in instances of mass layoffs by employers, the purpose of which shall be to minimize the amount of time required for such individuals to file claims upon becoming unemployed as the result of such mass layoffs.

(b) Except when the result would be inconsistent with the other provisions of this article, as provided in the rules of the department, the provisions of this article which apply to claims for, or the payment of, regular benefits shall apply to claims for, and the payment of, extended benefits.

(c) Whenever an extended benefit period is to become effective in this state as a result of a state "on" indicator, or an extended benefit

period is to be terminated in this state as a result of a state "off" indicator, the commissioner shall make an appropriate public announcement.

(d) Computations required by the provisions of IC 22-4-2-34(f) shall be made by the department in accordance with regulations prescribed by the United States Department of Labor.

(e) Each employer shall display and maintain in places readily accessible to all employees posters concerning its regulations and shall make available to each such individual at the time the individual becomes unemployed printed benefit rights information furnished by the department.

(f) In accordance with the authority to adopt rules under subsection (a), the department shall adopt rules under IC 4-22-2 to provide that an application for a claim for benefits must require an applicant for benefits to state, under penalty of perjury, that the applicant will refrain from the knowing or intentional possession and use of:

(1) a controlled substance (as defined in IC 35-48-1-9) (pure or adulterated) classified in schedule I, II, III, or IV of IC 35-48-2; or

(2) a controlled substance analog (as defined in IC 35-48-1-9.3);

without a valid prescription or an order from a practitioner during the period that the applicant receives benefits if benefits are awarded.

C o p y