

## **BILL ANALYSIS**

S.B. 818  
By: Powell  
Business & Industry  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Concerns have been raised regarding reports of service members that have been disqualified for unemployment benefits in Texas due to unique circumstances, such as seasonal work or a continuous claim. While state law and the federal Uniformed Services Employment and Reemployment Rights Act of 1994 provide job protections to state and federal service members called to duty, jobs are not always available to the service members when they return from service. The service member might need access to unemployment benefits while asserting rights under law, or the job that the claimant left may have been temporary or seasonal and unavailable upon return. S.B. 818 seeks to address this issue by revising provisions relating to unemployment compensation eligibility and chargebacks regarding service members separated from employment due to being called to military service.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

S.B. 818 amends the Labor Code to prohibit benefits computed on benefit wage credits of an employee or former employee from being charged to the account of an employer under the Texas Unemployment Compensation Act if the employee's last separation from the employer's employment before the employee's benefit year was caused by the employee being called to provide service in the uniformed services, as defined by the federal Uniformed Services Employment and Reemployment Rights Act of 1994, or in the Texas military forces, as defined by applicable Government Code provisions, unless the employer has been found to be in violation of reemployment provisions of that federal law or the Government Code provisions with respect to the employee. The bill establishes that an individual is not disqualified for benefits under the Texas Unemployment Compensation Act if the individual's separation from employment was caused by being called to provide that service. The bill's provisions expressly do not affect any reemployment rights and benefits or other employment benefits to which an employee may be entitled in accordance with that federal law.

### **EFFECTIVE DATE**

September 1, 2021.