

Act No. 281
Public Acts of 2011
Approved by the Governor
December 20, 2011
Filed with the Secretary of State
December 20, 2011
EFFECTIVE DATE: December 20, 2011

**STATE OF MICHIGAN
96TH LEGISLATURE
REGULAR SESSION OF 2011**

Introduced by Reps. Haveman, Wayne Schmidt, Bumstead, Tyler, Jacobsen, Johnson, Heise, Walsh, Rendon, Byrum, MacGregor, Gilbert, Genetski, Dillon, Roy Schmidt, Haugh, Geiss, Hughes, Shirkey, McMillin, Crawford, Lyons, Knollenberg, Outman, Kurtz, Daley, Hooker, Bledsoe, Denby, LaFontaine, Shaughnessy, Kowall, Callton, Goike, Franz, Moss, Agema, Brown, Tlaib, Damrow, Farrington, Glardon, Haines, Horn, LeBlanc, Liss, Muxlow, O'Brien, Opsommer, Price, Yonker and Zorn

ENROLLED HOUSE BILL No. 4394

AN ACT to amend 1936 (Ex Sess) PA 1, entitled "An act to protect the welfare of the people of this state through the establishment of an unemployment compensation fund, and to provide for the disbursement thereof; to create certain other funds; to create the Michigan employment security commission, and to prescribe its powers and duties; to provide for the protection of the people of this state from the hazards of unemployment; to levy and provide for contributions from employers; to provide for the collection of such contributions; to enter into reciprocal agreements and to cooperate with agencies of the United States and of other states charged with the administration of any unemployment insurance law; to furnish certain information to certain governmental agencies for use in administering public benefit and child support programs and investigating and prosecuting fraud; to provide for the payment of benefits; to provide for appeals from redeterminations, decisions and notices of assessments; and for referees and a board of review to hear and decide the issues arising from redeterminations, decisions and notices of assessment; to provide for the cooperation of this state and compliance with the provisions of the social security act and the Wagner-Peyser act passed by the Congress of the United States of America; to provide for the establishment and maintenance of free public employment offices; to provide for the transfer of funds; to make appropriations for carrying out the provisions of this act; to prescribe remedies and penalties for the violation of the provisions of this act; and to repeal all acts and parts of acts inconsistent with the provisions of this act," (MCL 421.1 to 421.75) by adding section 27c.

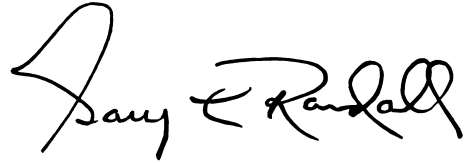
The People of the State of Michigan enact:

Sec 27c. Notwithstanding any other provision of this act, for benefit years beginning on or after October 1, 2000 and before January 1, 2014, if a base period contributing employer notifies the agency that it paid gross wages to a claimant in a week at least equal to the employer's benefit charge for that claimant for the week, then the agency shall issue a monetary redetermination noncharging the account of that employer for that week and for the remaining weeks of the benefit year for benefits payable to that claimant that would otherwise be charged to the employer's account. For benefit years beginning on or after January 1, 2014, benefits payable to an individual for a week and for each remaining payable week in the benefit year shall be charged to the nonchargeable benefits account if either of the following occurs:

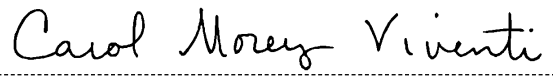
(a) The individual reports gross earnings in the week with a contributing base period employer at least equal to the employer's benefit charges for that individual for the week.

(b) A contributing base period employer timely protests a determination charging benefits to its account for a week in which the employer paid gross wages to the individual at least equal to the employer's charges for benefits paid to that individual for that week.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor