



2023 SENATE BILL 233

April 14, 2023 - Introduced by Senators FEYEN, BRADLEY, FELZKOWSKI, MARKLEIN and STROEBEL, cosponsored by Representatives DALLMAN, BROOKS, ALLEN, BEHNKE, BINSFELD, BODDEN, DITTRICH, GREEN, GUNDRUM, KNODL, MAGNAFICI, MOSES, MURPHY, O'CONNOR, PENTERMAN, PETERSEN, PLUMER, RETTINGER, ROZAR, SORTWELL, WICHGERS, WITKE and EDMING. Referred to Committee on Economic Development and Technical Colleges.

1 **AN ACT to renumber and amend** 108.142 (4); **to amend** 108.06 (1); and **to**
2 **create** 108.06 (1m) and 227.01 (13) (yL) of the statutes; **relating to:** the
3 amount of benefits received under the unemployment insurance law.

Analysis by the Legislative Reference Bureau

This bill changes the maximum number of weeks of regular unemployment insurance (UI) benefits payable to an eligible claimant who is totally unemployed to an amount that varies depending upon the seasonally adjusted statewide unemployment rate.

Currently, the maximum number of weeks of regular UI benefits payable to an eligible claimant who is totally unemployed and who earns sufficient wages to qualify for those benefits is fixed at 26 weeks.

Under the bill, the maximum number of weeks available to claimants is determined monthly, based upon the unemployment rate using the most recently available federal data. Once a claimant begins a benefit year, the claimant's maximum number of weeks of regular benefits is fixed for that benefit year. Because the maximum number of weeks of state supplemental benefits payable to a claimant is calculated in part based upon the maximum number of weeks of regular benefits payable to a claimant, the change also affects the maximum number of weeks of state supplemental benefits payable to a claimant. Under the bill, the maximum number of weeks of regular benefits for total unemployment is determined as follows:

Statewide unemployment rate

Greater than 9.0 percent

Maximum weeks of benefits

26

SENATE BILL 233

Greater than 8.5 percent but less than or equal to 9.0 percent	25
Greater than 8.0 percent but less than or equal to 8.5 percent	24
Greater than 7.5 percent but less than or equal to 8.0 percent	23
Greater than 7.0 percent but less than or equal to 7.5 percent	22
Greater than 6.5 percent but less than or equal to 7.0 percent	21
Greater than 6.0 percent but less than or equal to 6.5 percent	20
Greater than 5.5 percent but less than or equal to 6.0 percent	19
Greater than 5.0 percent but less than or equal to 5.5 percent	18
Greater than 4.5 percent but less than or equal to 5.0 percent	17
Greater than 4.0 percent but less than or equal to 4.5 percent	16
Greater than 3.5 percent but less than or equal to 4.0 percent	15
Less than or equal to 3.5 percent	14

For further information see the state and local fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 108.06 (1) of the statutes is amended to read:

2 108.06 (1) Except as provided in sub. (6) and ss. 108.141 and 108.142, no

3 claimant may receive total benefits based on employment in a base period greater

4 than ~~26 times~~ the number of weeks determined under sub. (1m) multiplied by the

5 claimant's weekly benefit rate under s. 108.05 (1) or 40 percent of the claimant's base

6 period wages, whichever is lower. Except as provided in sub. (6) and ss. 108.141 and

7 108.142, if a claimant's base period wages are reduced or canceled under s. 108.04

8 (5) or (18), or suspended under s. 108.04 (1) (f), (10) (a), or (17), the claimant may not

SENATE BILL 233

1 receive total benefits based on employment in a base period greater than ~~26 times~~
 2 the number of weeks determined under sub. (1m) multiplied by the claimant's
 3 weekly benefit rate under s. 108.05 (1) or 40 percent of the base period wages not
 4 reduced, canceled or suspended which were paid or payable to the claimant,
 5 whichever is lower.

6 **SECTION 2.** 108.06 (1m) of the statutes is created to read:

7 108.06 (1m) (a) 1. The department shall, on a monthly basis, determine the
 8 maximum number of weeks of regular benefits available to claimants under sub. (1)
 9 in accordance with this paragraph. Each such determination shall apply to benefit
 10 years that begin in the month to which that determination applies. For benefit years
 11 to which each determination applies, the maximum number of weeks of regular
 12 benefits is as follows: [See Figure 108.06 (1m) (a) 1. following]

13 **Figure 108.06 (1m) (a) 1.:**

<u>Statewide average unemployment rate</u>	<u>Maximum weeks of benefits</u>
Greater than 9.0 percent	26
Greater than 8.5 percent but less than or equal to 9.0 percent	25
Greater than 8.0 percent but less than or equal to 8.5 percent	24
Greater than 7.5 percent but less than or equal to 8.0 percent	23
Greater than 7.0 percent but less than or equal to 7.5 percent	22
Greater than 6.5 percent but less than or equal to 7.0 percent	21
Greater than 6.0 percent but less than or equal to 6.5 percent	20
Greater than 5.5 percent but less than or equal to 6.0 percent	19

SENATE BILL 233

SECTION 2

Greater than 5.0 percent but less than or equal to 5.5 percent 18

Greater than 4.5 percent but less than or equal to 5.0 percent 17

Greater than 4.0 percent but less than or equal to 4.5 percent 16

Greater than 3.5 percent but less than 4.0 percent 15

Less than or equal to 3.5 percent 14

1 2. The department shall make the determinations under this paragraph using
2 the most recently available statewide, seasonally adjusted data from the current
3 employment statistics program published by the the bureau of labor statistics for the
4 U.S. department of labor, including preliminary estimates.

5 (b) The maximum number of weeks of regular benefits payable to a claimant
6 under sub. (1) in the first week of the claimant’s benefit year remains the same
7 regardless of the maximum number of weeks of regular benefits in effect in any
8 subsequent week that benefits become payable to the claimant.

9 (c) The department shall publish on its website a notice about the maximum
10 number of weeks of regular benefits available as calculated in accordance with this
11 subsection.

12 **SECTION 3.** 108.142 (4) of the statutes is renumbered 108.142 (4) (intro.) and
13 amended to read:

14 108.142 (4) DURATION OF WISCONSIN SUPPLEMENTAL BENEFITS. (intro.) During
15 a Wisconsin supplemental benefit period, no claimant may receive total benefits
16 based on employment in a base period greater than ~~34 times~~ whichever of the
17 following is lower:

