



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-0361/P2
EAW:amn

DOA:.....Kirschbaum, BB0059 - Maximum weekly benefit rate

FOR 2021-2023 BUDGET -- NOT READY FOR INTRODUCTION

AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

EMPLOYMENT

Increasing maximum weekly unemployment benefits

Under current law, a person who qualifies for unemployment insurance receives a weekly benefit rate equal to a percentage of that person's past earnings, but the weekly benefit rate is capped at \$370. This bill changes the maximum weekly benefit rate in the following ways:

1. For benefits paid for weeks of unemployment beginning on or after January 2, 2022, but before January 1, 2023, the maximum weekly benefit rate is capped at \$409.
2. For benefits paid for weeks of unemployment beginning on or after January 1, 2023, but before December 31, 2023, the maximum weekly benefit rate is capped at 50 percent of the state's annual average weekly wages.
3. For benefits paid for weeks of unemployment beginning on or after December 31, 2023, the maximum weekly benefit rate is capped at 75 percent of the state's annual average weekly wages, or the maximum weekly benefit amount from the previous year, whichever is greater.

Under the bill, DWD is required to calculate the state's annual average weekly wage for each year based on quarterly wage reports that are submitted to DWD. The state's annual average weekly wage is calculated by June 30 of each year and is used to calculate the following year's maximum weekly benefit amount.

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:

SECTION 1. 108.05 (1) (am) of the statutes is created to read:

108.05 (1) (am) On or before June 30 of each year, the department shall calculate, from quarterly wage reports under s. 108.205 for the prior calendar year, the state's annual average weekly wage in employment covered under this chapter.

SECTION 2. 108.05 (1) (cm) of the statutes is created to read:

108.05 (1) (cm) The department shall set the maximum weekly benefit amount as follows:

1. For benefits paid for a week of total unemployment that commences on or after January 5, 2014, but before January 2, 2022, \$370.

2. For benefits paid for a week of total unemployment that commences on or after January 2, 2022, but before January 1, 2023, \$409.

3. For benefits paid for a week of total unemployment that commences on or after January 1, 2023, but before January 7, 2024, \$409 or 50 percent of the state's annual average weekly wage, rounded up to the nearest dollar, whichever is greater.

4. For benefits paid for a week of total unemployment that commences on or after January 7, 2024, the department shall set an annual maximum weekly benefit amount that takes effect on the 1st Sunday in January of each calendar year and that is equal to the greater of the following:

a. Seventy-five percent of the state's annual average weekly wage, rounded up to the nearest dollar.

b. The maximum benefit amount in effect in the previous calendar year.

SECTION 3. 108.05 (1) (r) of the statutes is renumbered 108.05 (1) (r) (intro.) and amended to read:

108.05 (1) (r) (intro.) Except as provided in s. 108.062 (6) (a), each eligible employee shall be paid benefits for each week of total unemployment ~~that commences on or after January 5, 2014, at the a~~ weekly benefit rate ~~specified in this paragraph. Unless sub. (1m) applies, the weekly benefit rate shall equal to~~ 4 percent of the employee's base period wages that were paid during that quarter of the employee's base period in which the employee was paid the highest total wages, rounded down to the nearest whole dollar, ~~except that, if that amount~~ as provided under sub. (1m), and unless one of the following applies:

1. If the employee's weekly benefit rate calculated under this paragraph is less than \$54, no benefits are payable to the employee and, if that amount,

****NOTE: Do you also want to index the minimum in a similar manner as the maximum?

2. If the employee's weekly benefit rate is more than \$370 the maximum weekly benefit amount under par. (cm), the employee's weekly benefit rate shall be \$370 and except that, if the maximum weekly benefit amount under par. (cm).

3. If the employee's benefits are exhausted during any week under s. 108.06 (1), the employee shall be paid the remaining amount of benefits payable to the employee under s. 108.06 (1).

(s) The department shall publish on its Internet site a weekly benefit rate schedule of quarterly wages and the corresponding weekly benefit rates as calculated in accordance with this paragraph subsection.

SECTION 4. 227.01 (13) (n) of the statutes is amended to read:

227.01 (13) (n) Fixes or approves rates, prices or charges, including an annual average weekly wage calculation under s. 108.05 (1) (am) or a maximum weekly benefit amount under s. 108.05 (1) (cm), unless a statute specifically requires them to be fixed or approved by rule.

(END)