

State of Arizona
House of Representatives
Fiftieth Legislature
First Regular Session
2011

HOUSE BILL 2619

AN ACT

REPEALING SECTION 23-730.01, ARIZONA REVISED STATUTES; AMENDING TITLE 23, CHAPTER 4, ARTICLE 5, ARIZONA REVISED STATUTES, BY ADDING A NEW SECTION 23-730.01; PROVIDING FOR THE DELAYED REPEAL OF SECTION 23-730.01, ARIZONA REVISED STATUTES; RELATING TO EMPLOYMENT SECURITY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Repeal

3 Section 23-730.01, Arizona Revised Statutes, is repealed.

4 Sec. 2. Title 23, chapter 4, article 5, Arizona Revised Statutes, is
5 amended by adding a new section 23-730.01, to read:

6 23-730.01. Special assessment; unemployment special assessment
7 fund

8 A. EACH EMPLOYER SHALL PAY A SPECIAL ASSESSMENT IN EACH OF CALENDAR
9 YEARS 2011 AND 2012 AT A RATE DETERMINED BY THE DIRECTOR OF THE DEPARTMENT.
10 IF THE AMOUNT OF AN EMPLOYER'S ASSESSMENT IN ANY ONE QUARTER IS LESS THAN TEN
11 DOLLARS, THE ASSESSMENT SHALL BE WAIVED FOR THAT QUARTER.

12 B. THE SPECIAL ASSESSMENT SHALL BE REPORTED IN ACCORDANCE WITH
13 SECTIONS 23-722 AND 23-723 AND COLLECTED IN ACCORDANCE WITH SECTIONS 23-736,
14 23-737, 23-737.01, 23-737.02, 23-738, 23-738.01, 23-739, 23-740, 23-741,
15 23-742, 23-743, 23-744, 23-745, 23-746, 23-746.01, 23-747, 23-748, 23-749,
16 23-752, 23-753, 23-754, 23-755, 23-756 AND 23-757, EXCEPT THAT THE ASSESSMENT
17 FOR TAXABLE WAGES PAID FOR THE FIRST THREE CALENDAR QUARTERS OF TAX YEAR 2011
18 IS PAYABLE WITH THE EMPLOYER'S QUARTERLY STATE UNEMPLOYMENT INSURANCE
19 CONTRIBUTIONS ON OR BEFORE OCTOBER 31, 2011. THE ASSESSMENT FOR ALL OTHER
20 CALENDAR QUARTERS IN TAX YEARS 2011 AND 2012 IS PAYABLE WITH THE EMPLOYER'S
21 QUARTERLY STATE UNEMPLOYMENT INSURANCE CONTRIBUTIONS.

22 C. THE UNEMPLOYMENT SPECIAL ASSESSMENT FUND IS ESTABLISHED AND
23 CONSISTS OF THE MONIES COLLECTED PURSUANT TO THIS SECTION. THE FUND SHALL BE
24 KEPT SEPARATE FROM ALL OTHER MONIES OF THIS STATE. THE DEPARTMENT SHALL
25 ADMINISTER THE FUND. MONIES IN THE FUND ARE CONTINUOUSLY APPROPRIATED FOR
26 THE PURPOSES PRESCRIBED IN THIS SECTION.

27 D. NOTWITHSTANDING ANY OTHER LAW, IF THIS STATE HAS AN OUTSTANDING
28 LOAN TO PAY UNEMPLOYMENT INSURANCE BENEFITS TO ELIGIBLE CLAIMANTS, FUND
29 MONIES SHALL BE USED TO PAY THE COSTS OF THE LOAN IN THE FOLLOWING MANNER:

30 1. FUND MONIES SHALL FIRST BE USED TO PAY INTEREST CHARGES INCURRED ON
31 THE LOAN. IF THIS STATE IS GRANTED A WAIVER OF INTEREST CHARGES IN EITHER
32 2011 OR 2012, THE AMOUNT OF THE ASSESSMENT SHALL BE REDUCED BY ONE-TENTH OF
33 ONE PER CENT IN EACH CALENDAR YEAR IN WHICH THE INTEREST CHARGE IS WAIVED.

34 2. FUND MONIES SHALL THEN BE USED TO RETIRE THE LOAN PRINCIPAL ON OR
35 BEFORE NOVEMBER 10, 2012.

36 E. IF THE DEPARTMENT DETERMINES THAT THE FUND MONIES WILL NOT BE
37 SUFFICIENT TO PAY THE INTEREST CHARGES AND RETIRE THE PRINCIPAL ON OR BEFORE
38 NOVEMBER 10, 2012, THE DEPARTMENT MAY INCREASE THE ASSESSMENT FOR 2012 AT A
39 RATE DETERMINED BY THE DIRECTOR OF THE DEPARTMENT.

40 F. ANY MONIES REMAINING IN THE FUND AFTER PAYMENT OF ALL PRINCIPAL AND
41 INTEREST ON THE LOAN, INCLUDING DELINQUENT AMOUNTS COLLECTED AFTER THIS
42 PAYMENT, SHALL BE TRANSFERRED TO THE UNEMPLOYMENT COMPENSATION FUND
43 ESTABLISHED BY SECTION 23-701.

1 Sec. 3. Intent

2 Legislative action is necessary to meet federally imposed unemployment
3 insurance trust fund obligations and prevent a federal tax increase on
4 employers in this state. It is the intent of the legislature that the rate
5 determined by the director of the department of economic security shall not
6 exceed:

7 1. For calendar year 2011, four-tenths of one per cent of the taxable
8 wages paid for the tax year.

9 2. For calendar year 2012, six-tenths of one per cent of the taxable
10 wages paid for the tax year.

11 3. For any increase in the assessment for calendar year 2012 pursuant
12 to section 23-730.01, subsection E, Arizona Revised Statutes, as added by
13 this act, two-tenths of one per cent of the taxable wages paid for the tax
14 year.

15 Sec. 4. Delayed repeal

16 Section 23-730.01, Arizona Revised Statutes, as added by this act, is
17 repealed from and after December 31, 2012.