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HOUSE BILL NO. 2135

Offered January 13, 2025

Prefiled January 7, 2025

A BILL to amend and reenact § 60.2-607 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 60.2-603.1, relating to unemployment compensation; allowance for dependents.

Patron—Keys-Gamarra

Referred to Committee on Labor and Commerce

Be it enacted by the General Assembly of Virginia:

1. That § 60.2-607 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 60.2-603.1 as follows:

§ 60.2-603.1. Allowance for dependents.

A. For the purposes of this section, "dependent" means the child, adopted child, or stepchild of a claimant who, on January 1 of the benefit year, is (i) wholly or partly supported by such claimant and (ii) younger than 16 years of age.

B. Subject to subsection C, in addition to the weekly benefit amount determined from the "Benefit Table" shown in § 60.2-602, each eligible claimant who is unemployed in any week shall be paid an allowance of \$25 for each dependent of such claimant.

C. No allowance under this section shall be paid:

1. For more than three dependents of the claimant;

2. For longer than the number of weeks of benefits allowable to the claimant for total unemployment; or

3. For any week in which an unemployment benefit is not otherwise payable to the claimant.

D. The number of a claimant's dependents shall be determined as of January 1 of the benefit year and shall remain fixed for the duration of such benefit year. An individual who is determined to be a dependent of a claimant shall not be determined to be a dependent of any other claimant whose benefit year starts within one year after such initial determination. If a claimant dies, any individual determined to be a dependent of such claimant shall no longer be considered the dependent of such claimant for the purposes of this subsection.

E. A claimant shall declare any dependent on the date that such claimant makes a claim for benefits with the Commission. A claimant declaring any dependent for the purposes of this section shall provide proof of such dependent in a form and manner prescribed by the Commission in accordance with the following:

1. The Commission may consider a combination of the following documents to verify the status of claimed dependents: social security, birth, and baptismal records or certified copies thereof; federal or state income tax returns; and child support or adoption orders or any other relevant legal documents.

2. An individual who is eligible for unemployment compensation benefits and who has not yet submitted the required verification and proof of declared dependency status shall be paid only the determined weekly benefit rate pursuant to § 60.2-602 until the verification and proof requirement has been met. If the verification and proof requirement is not satisfied within six weeks of the date of the claim, the claimant shall be ineligible to receive the dependency allowance benefits for the duration of the claim.

F. Any individual who is determined by the Commission to have illegally received or attempted to receive an allowance for dependents as a result of any false or fraudulent representation shall be subject to the provisions of Article 6 (§ 60.2-632 et seq.).

§ 60.2-607. Maximum total benefit amounts.

The maximum total amount of benefits payable to any individual during any benefit year shall be determined from the "Benefit Table" shown in § 60.2-602 but shall not exceed twenty-six times such individual's weekly benefit amount, except when benefits are paid pursuant to the provisions of §§ 60.2-603.1, 60.2-610, or § 60.2-611. Such determination shall be based only upon wages paid for insured work during such individual's base period. The Commission shall maintain a separate account for each individual who is paid wages for insured work. After the expiration of each calendar quarter the Commission shall credit each individual's account with the wages paid to him for insured work in such calendar quarter.

INTRODUCED

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