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**HOUSE BILL NO. 22**

Offered January 8, 2014

Prefiled November 22, 2013

A *BILL to amend and reenact § 60.2-530 of the Code of Virginia, relating to unemployment compensation; calculating an employer's benefit ratio.*

Patron—Kory

Referred to Committee on Commerce and Labor

**Be it enacted by the General Assembly of Virginia:**

**1. That § 60.2-530 of the Code of Virginia is amended and reenacted as follows:**

**§ 60.2-530. Benefit ratio.**

A. 1. The "benefit ratio" of each employer for a given calendar year shall be the percentage, rounded to the nearest one-tenth of a percent, equal to the employer's benefit charges for the twelve consecutive calendar month period ending on June 30 immediately preceding that calendar year, divided by the total of his payroll for the same period except that:

a. For an employer whose account has been chargeable with benefit charges for forty-eight or more consecutive completed calendar months, the "benefit ratio" shall be the percentage, rounded to the nearest one-tenth of a percent, equal to the employer's benefit charges for the most recent forty-eight consecutive completed calendar month period ending on June 30 immediately preceding that calendar year, divided by the total of his payrolls for the same period;

b. For an employer whose account has been chargeable with benefit charges for thirty-six but less than forty-eight consecutive completed calendar months the "benefit ratio" shall be the percentage equal to the employer's benefit charges for the most recent thirty-six consecutive completed calendar month period ending on June 30 immediately preceding that calendar year divided by his payroll for the same period; and

c. For an employer whose account has been chargeable with benefit charges for twenty-four but less than thirty-six consecutive completed calendar months the "benefit ratio" shall be the percentage, rounded to the nearest one-tenth of a percent, equal to the employer's benefit charges for the most recent twenty-four consecutive completed calendar month period ending on June 30 immediately preceding that calendar year divided by his payroll for the same period.

2. The term "payroll" as used ~~herein~~ *in this section* means *the greater of (i) the taxable payroll on which taxes have been paid on or before September 30 immediately following such June 30 or (ii) \$1.*

B. Where benefit charges are not available for any or all of the periods used to determine an employer's benefit ratio, benefit wages divided by three shall be used in lieu of benefit charges for those periods benefit charges are not available, in combination with benefit charges, where available to determine an employer's benefit ratio.

INTRODUCED

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