

**As Introduced**

**127th General Assembly  
Regular Session  
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**H. B. No. 311**

**Representative Widowfield**

**Cosponsor: Representative Evans**

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**A B I L L**

To amend section 4141.30 of the Revised Code to 1  
include in the calculation of dependents for the 2  
purpose of determining unemployment benefits any 3  
child that the individual claiming benefits has 4  
been granted custody of by court order. 5

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That section 4141.30 of the Revised Code be 6  
amended to read as follows: 7

**Sec. 4141.30.** (A) All benefits shall be paid through public 8  
employment offices in accordance with such rules as the director 9  
of job and family services prescribes. 10

(B) With the exceptions in division (B)(4) of this section, 11  
benefits are payable to each eligible and qualified individual on 12  
account of each week of involuntary total unemployment after the 13  
specified waiting period at the weekly benefit amount determined 14  
by: 15

(1) Computing the individual's average weekly wage as defined 16  
in division (O)(2) of section 4141.01 of the Revised Code; 17

(2) Determining the individual's dependency class under 18

division (E) of this section; 19

(3) Computing the individual's weekly benefit amount to be 20  
fifty per cent of the individual's average weekly wage except, 21  
that the individual's weekly benefit amount shall not exceed the 22  
maximum amount shown for the individual's dependency class in the 23  
following table: 24

Dependency Class	Maximum Weekly Benefit Amount	25
A	\$147	26
B	223	27
C	233	28

Effective Sunday of the calendar week in which January 1, 30  
1988, occurs and on each similar day of each year thereafter, the 31  
current maximum weekly benefit amount for each dependency class 32  
shall be adjusted based on the statewide average weekly wage. Any 33  
percentage increase in such statewide average weekly wage between 34  
the wage computed for the current year and the wage computed for 35  
the preceding year shall be used to increase the maximum amounts 36  
then in effect by the same percentage. Such increased amounts will 37  
be effective with respect to ~~applications~~ applications for benefit 38  
rights filed during the fifty-two consecutive calendar weeks 39  
beginning with such Sunday date. 40

The director shall calculate the statewide average weekly 41  
wage based on the average weekly earnings of all workers in 42  
employment subject to this chapter during the preceding 43  
twelve-month period ending the thirtieth day of June. The 44  
calculation shall be made in the following manner: 45

(a) The sum of the total monthly employment reported for the 46  
previous twelve-month period shall be divided by twelve to 47  
determine the average monthly employment; 48

(b) The sum of the total wages reported for the previous 49

twelve-month period shall be divided by the average monthly  
employment to determine the average annual wage;

(c) The average annual wage shall be divided by fifty-two to  
determine the statewide average weekly wage.

In the computation of the weekly benefit amount, any  
resulting amount not a multiple of one dollar shall be rounded to  
the next lower multiple of one dollar. In the computation of the  
adjusted maximum benefit amounts, based on the statewide average  
weekly wage, any resulting amount not a multiple of one dollar  
shall be rounded to the next lower multiple of one dollar.

(4) Effective Sunday of the calendar week in which January 1,  
occurs for calendar years 1988 through 1993, the maximum weekly  
benefit amount payable for an individual's dependency class for  
those years shall be computed in accordance with this division,  
with an additional increase added to the prior year's increase  
equal to one-sixth of total percentage increase that otherwise  
would have been available in calendar years 1983, 1984, 1985,  
1986, and 1987, if in those years an adjustment in the maximum  
weekly benefit amount would have been made pursuant to this  
division.

(5) Effective Sunday of the calendar week in which January 1,  
1991, occurs, the maximum weekly benefit amounts computed under  
divisions (B)(3) and (4) of this section shall not exceed the  
following amounts:

(a) For dependency class A, fifty per cent of the statewide  
average weekly wage;

(b) For dependency class B, sixty per cent of the statewide  
average weekly wage;

(c) For dependency class C, sixty-six and two-thirds per cent  
of the statewide average weekly wage.

Division (B)(5) of this section applies to all new claims 80  
filed on and after the Sunday of the calendar week in which 81  
January 1, 1991, occurs, provided that the maximum weekly benefit 82  
amounts established for the dependency classes prior to such date 83  
apply to all claims until the maximum weekly benefit amounts as 84  
determined pursuant to division (B)(5) of this section equal or 85  
exceed the maximum weekly benefit amounts in effect prior to such 86  
date. 87

(C) Benefits are payable to each partially unemployed 88  
individual otherwise eligible on account of each week of 89  
involuntary partial unemployment after the specified waiting 90  
period in an amount equal to the individual's weekly benefit 91  
amount less that part of the remuneration payable to the 92  
individual with respect to such week which is in excess of twenty 93  
per cent of the individual's weekly benefit amount, and the 94  
resulting amount rounded to the next lower multiple of one dollar. 95

(D) The total benefits to which an individual is entitled in 96  
any benefit year, whether for partial or total unemployment, or 97  
both, shall not exceed the lesser of the following two amounts: 98  
(1) an amount equal to twenty-six times the individual's weekly 99  
benefit amount determined in accordance with division (B) of this 100  
section and this division, or (2) an amount computed by taking the 101  
sum of twenty times the individual's weekly benefit amount for the 102  
first twenty base period qualifying weeks plus one times the 103  
weekly benefit amount for each additional qualifying week beyond 104  
the first twenty qualifying weeks in the individual's base period. 105

(E)(1) Each eligible and qualified individual shall be 106  
assigned a dependency class in accordance with the following 107  
schedule: 108

Class	Description of Dependents	
A	No dependents, or has insufficient wages to qualify for more than the	109 110 111

	maximum weekly benefit amount as	112
	provided under dependency class A	113
B	One or two dependents	114
C	Three or more dependents	115
	<u>(2) As used in this division "dependent" (E) of this section:</u>	116
	<u>(a) "Child" means any natural child, stepchild, or adopted</u>	117
	<u>child of the individual claiming benefits and any child that the</u>	118
	<u>individual claiming benefits has been granted custody of by court</u>	119
	<u>order;</u>	120
	<u>(b) "Dependent" means:</u>	121
	<del>(1)(i)</del> Any <del>natural child, stepchild, or adopted</del> child <del>of</del> <u>for</u>	122
	<u>whom</u> the individual claiming benefits <del>for whom such individual</del> at	123
	the beginning of the individual's current benefit year is	124
	supplying and for at least ninety consecutive days, or for the	125
	duration of the parental <u>or custodial</u> relationship if it existed	126
	less than ninety days, immediately preceding the beginning of such	127
	benefit year, has supplied more than one-half of the cost of	128
	support and if such child on the beginning date of such benefit	129
	year was under eighteen years of age, or if unable to work because	130
	of permanent physical or mental disability;	131
	<del>(2)(ii)</del> The legally married wife or husband of the individual	132
	claiming benefits for whom more than one-half the cost of support	133
	has been supplied by such individual for at least ninety	134
	consecutive days, or for the duration of the marital relationship	135
	if it has existed for less than ninety days, immediately preceding	136
	the beginning of such individual's current benefit year and such	137
	wife or husband was living with such individual and had an average	138
	weekly income, in such period, not in excess of twenty-five per	139
	cent of the claimant's average weekly wage.	140
	<del>(3)(iii)</del> If both the husband and wife qualify for benefit	141
	rights with overlapping benefit years, only one of them may	142

qualify for a dependency class other than A. 143

**Section 2.** That existing section 4141.30 of the Revised Code 144

is hereby repealed. 145