

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Unemployment Insurance Act is amended by
5 changing Sections 401, 403, 1505, and 1506.6 as follows:

6 (820 ILCS 405/401) (from Ch. 48, par. 401)

7 Sec. 401. Weekly Benefit Amount - Dependents' Allowances.

8 A. With respect to any week beginning in a benefit year
9 beginning prior to January 4, 2004, an individual's weekly
10 benefit amount shall be an amount equal to the weekly benefit
11 amount as defined in the provisions of this Act as amended and
12 in effect on November 18, 2011.

13 B. 1. With respect to any benefit year beginning on or
14 after January 4, 2004 and before January 6, 2008, an
15 individual's weekly benefit amount shall be 48% of his or her
16 prior average weekly wage, rounded (if not already a multiple
17 of one dollar) to the next higher dollar; provided, however,
18 that the weekly benefit amount cannot exceed the maximum weekly
19 benefit amount and cannot be less than \$51. Except as otherwise
20 provided in this Section, with respect to any benefit year
21 beginning on or after January 6, 2008, an individual's weekly
22 benefit amount shall be 47% of his or her prior average weekly
23 wage, rounded (if not already a multiple of one dollar) to the

1 next higher dollar; provided, however, that the weekly benefit
2 amount cannot exceed the maximum weekly benefit amount and
3 cannot be less than \$51. With respect to any benefit year
4 beginning in calendar year 2020 ~~2018~~, an individual's weekly
5 benefit amount shall be 40.3% ~~42.9%~~ of his or her prior average
6 weekly wage, rounded (if not already a multiple of one dollar)
7 to the next higher dollar; provided, however, that the weekly
8 benefit amount cannot exceed the maximum weekly benefit amount
9 and cannot be less than \$51.

10 2. For the purposes of this subsection:

11 An individual's "prior average weekly wage" means the total
12 wages for insured work paid to that individual during the 2
13 calendar quarters of his base period in which such total wages
14 were highest, divided by 26. If the quotient is not already a
15 multiple of one dollar, it shall be rounded to the nearest
16 dollar; however if the quotient is equally near 2 multiples of
17 one dollar, it shall be rounded to the higher multiple of one
18 dollar.

19 "Determination date" means June 1 and December 1 of each
20 calendar year except that, for the purposes of this Act only,
21 there shall be no June 1 determination date in any year.

22 "Determination period" means, with respect to each June 1
23 determination date, the 12 consecutive calendar months ending
24 on the immediately preceding December 31 and, with respect to
25 each December 1 determination date, the 12 consecutive calendar
26 months ending on the immediately preceding June 30.

1 "Benefit period" means the 12 consecutive calendar month
2 period beginning on the first day of the first calendar month
3 immediately following a determination date, except that, with
4 respect to any calendar year in which there is a June 1
5 determination date, "benefit period" shall mean the 6
6 consecutive calendar month period beginning on the first day of
7 the first calendar month immediately following the preceding
8 December 1 determination date and the 6 consecutive calendar
9 month period beginning on the first day of the first calendar
10 month immediately following the June 1 determination date.

11 "Gross wages" means all the wages paid to individuals
12 during the determination period immediately preceding a
13 determination date for insured work, and reported to the
14 Director by employers prior to the first day of the third
15 calendar month preceding that date.

16 "Covered employment" for any calendar month means the total
17 number of individuals, as determined by the Director, engaged
18 in insured work at mid-month.

19 "Average monthly covered employment" means one-twelfth of
20 the sum of the covered employment for the 12 months of a
21 determination period.

22 "Statewide average annual wage" means the quotient,
23 obtained by dividing gross wages by average monthly covered
24 employment for the same determination period, rounded (if not
25 already a multiple of one cent) to the nearest cent.

26 "Statewide average weekly wage" means the quotient,

1 obtained by dividing the statewide average annual wage by 52,
2 rounded (if not already a multiple of one cent) to the nearest
3 cent. Notwithstanding any provision of this Section to the
4 contrary, the statewide average weekly wage for any benefit
5 period prior to calendar year 2012 shall be as determined by
6 the provisions of this Act as amended and in effect on November
7 18, 2011. Notwithstanding any provisions of this Section to the
8 contrary, the statewide average weekly wage for the benefit
9 period of calendar year 2012 shall be \$856.55 and for each
10 calendar year thereafter, the statewide average weekly wage
11 shall be the statewide average weekly wage, as determined in
12 accordance with this sentence, for the immediately preceding
13 benefit period plus (or minus) an amount equal to the
14 percentage change in the statewide average weekly wage, as
15 computed in accordance with the first sentence of this
16 paragraph, between the 2 immediately preceding benefit
17 periods, multiplied by the statewide average weekly wage, as
18 determined in accordance with this sentence, for the
19 immediately preceding benefit period. However, for purposes of
20 the Workers' Compensation Act, the statewide average weekly
21 wage will be computed using June 1 and December 1 determination
22 dates of each calendar year and such determination shall not be
23 subject to the limitation of the statewide average weekly wage
24 as computed in accordance with the preceding sentence of this
25 paragraph.

26 With respect to any week beginning in a benefit year

1 beginning prior to January 4, 2004, "maximum weekly benefit
2 amount" with respect to each week beginning within a benefit
3 period shall be as defined in the provisions of this Act as
4 amended and in effect on November 18, 2011.

5 With respect to any benefit year beginning on or after
6 January 4, 2004 and before January 6, 2008, "maximum weekly
7 benefit amount" with respect to each week beginning within a
8 benefit period means 48% of the statewide average weekly wage,
9 rounded (if not already a multiple of one dollar) to the next
10 higher dollar.

11 Except as otherwise provided in this Section, with respect
12 to any benefit year beginning on or after January 6, 2008,
13 "maximum weekly benefit amount" with respect to each week
14 beginning within a benefit period means 47% of the statewide
15 average weekly wage, rounded (if not already a multiple of one
16 dollar) to the next higher dollar.

17 With respect to any benefit year beginning in calendar year
18 2020 ~~2018~~, "maximum weekly benefit amount" with respect to each
19 week beginning within a benefit period means 40.3% ~~42.9%~~ of the
20 statewide average weekly wage, rounded (if not already a
21 multiple of one dollar) to the next higher dollar.

22 C. With respect to any week beginning in a benefit year
23 beginning prior to January 4, 2004, an individual's eligibility
24 for a dependent allowance with respect to a nonworking spouse
25 or one or more dependent children shall be as defined by the
26 provisions of this Act as amended and in effect on November 18,

1 2011.

2 With respect to any benefit year beginning on or after
3 January 4, 2004 and before January 6, 2008, an individual to
4 whom benefits are payable with respect to any week shall, in
5 addition to those benefits, be paid, with respect to such week,
6 as follows: in the case of an individual with a nonworking
7 spouse, 9% of his or her prior average weekly wage, rounded (if
8 not already a multiple of one dollar) to the next higher
9 dollar, provided, that the total amount payable to the
10 individual with respect to a week shall not exceed 57% of the
11 statewide average weekly wage, rounded (if not already a
12 multiple of one dollar) to the next higher dollar; and in the
13 case of an individual with a dependent child or dependent
14 children, 17.2% of his or her prior average weekly wage,
15 rounded (if not already a multiple of one dollar) to the next
16 higher dollar, provided that the total amount payable to the
17 individual with respect to a week shall not exceed 65.2% of the
18 statewide average weekly wage, rounded (if not already a
19 multiple of one dollar) to the next higher dollar.

20 With respect to any benefit year beginning on or after
21 January 6, 2008 and before January 1, 2010, an individual to
22 whom benefits are payable with respect to any week shall, in
23 addition to those benefits, be paid, with respect to such week,
24 as follows: in the case of an individual with a nonworking
25 spouse, 9% of his or her prior average weekly wage, rounded (if
26 not already a multiple of one dollar) to the next higher

1 dollar, provided, that the total amount payable to the
2 individual with respect to a week shall not exceed 56% of the
3 statewide average weekly wage, rounded (if not already a
4 multiple of one dollar) to the next higher dollar; and in the
5 case of an individual with a dependent child or dependent
6 children, 18.2% of his or her prior average weekly wage,
7 rounded (if not already a multiple of one dollar) to the next
8 higher dollar, provided that the total amount payable to the
9 individual with respect to a week shall not exceed 65.2% of the
10 statewide average weekly wage, rounded (if not already a
11 multiple of one dollar) to the next higher dollar.

12 The additional amount paid pursuant to this subsection in
13 the case of an individual with a dependent child or dependent
14 children shall be referred to as the "dependent child
15 allowance", and the percentage rate by which an individual's
16 prior average weekly wage is multiplied pursuant to this
17 subsection to calculate the dependent child allowance shall be
18 referred to as the "dependent child allowance rate".

19 Except as otherwise provided in this Section, with respect
20 to any benefit year beginning on or after January 1, 2010, an
21 individual to whom benefits are payable with respect to any
22 week shall, in addition to those benefits, be paid, with
23 respect to such week, as follows: in the case of an individual
24 with a nonworking spouse, the greater of (i) 9% of his or her
25 prior average weekly wage, rounded (if not already a multiple
26 of one dollar) to the next higher dollar, or (ii) \$15, provided

1 that the total amount payable to the individual with respect to
2 a week shall not exceed 56% of the statewide average weekly
3 wage, rounded (if not already a multiple of one dollar) to the
4 next higher dollar; and in the case of an individual with a
5 dependent child or dependent children, the greater of (i) the
6 product of the dependent child allowance rate multiplied by his
7 or her prior average weekly wage, rounded (if not already a
8 multiple of one dollar) to the next higher dollar, or (ii) the
9 lesser of \$50 or 50% of his or her weekly benefit amount,
10 rounded (if not already a multiple of one dollar) to the next
11 higher dollar, provided that the total amount payable to the
12 individual with respect to a week shall not exceed the product
13 of the statewide average weekly wage multiplied by the sum of
14 47% plus the dependent child allowance rate, rounded (if not
15 already a multiple of one dollar) to the next higher dollar.

16 With respect to any benefit year beginning in calendar year
17 2020 ~~2018~~, an individual to whom benefits are payable with
18 respect to any week shall, in addition to those benefits, be
19 paid, with respect to such week, as follows: in the case of an
20 individual with a nonworking spouse, the greater of (i) 9% of
21 his or her prior average weekly wage, rounded (if not already a
22 multiple of one dollar) to the next higher dollar, or (ii) \$15,
23 provided that the total amount payable to the individual with
24 respect to a week shall not exceed 49.3% ~~51.9%~~ of the statewide
25 average weekly wage, rounded (if not already a multiple of one
26 dollar) to the next higher dollar; and in the case of an

1 individual with a dependent child or dependent children, the
2 greater of (i) the product of the dependent child allowance
3 rate multiplied by his or her prior average weekly wage,
4 rounded (if not already a multiple of one dollar) to the next
5 higher dollar, or (ii) the lesser of \$50 or 50% of his or her
6 weekly benefit amount, rounded (if not already a multiple of
7 one dollar) to the next higher dollar, provided that the total
8 amount payable to the individual with respect to a week shall
9 not exceed the product of the statewide average weekly wage
10 multiplied by the sum of 40.3% ~~42.9%~~ plus the dependent child
11 allowance rate, rounded (if not already a multiple of one
12 dollar) to the next higher dollar.

13 With respect to each benefit year beginning after calendar
14 year 2012, the dependent child allowance rate shall be the sum
15 of the allowance adjustment applicable pursuant to Section
16 1400.1 to the calendar year in which the benefit year begins,
17 plus the dependent child allowance rate with respect to each
18 benefit year beginning in the immediately preceding calendar
19 year, except as otherwise provided in this subsection. The
20 dependent child allowance rate with respect to each benefit
21 year beginning in calendar year 2010 shall be 17.9%. The
22 dependent child allowance rate with respect to each benefit
23 year beginning in calendar year 2011 shall be 17.4%. The
24 dependent child allowance rate with respect to each benefit
25 year beginning in calendar year 2012 shall be 17.0% and, with
26 respect to each benefit year beginning after calendar year

1 2012, shall not be less than 17.0% or greater than 17.9%.

2 For the purposes of this subsection:

3 "Dependent" means a child or a nonworking spouse.

4 "Child" means a natural child, stepchild, or adopted child
5 of an individual claiming benefits under this Act or a child
6 who is in the custody of any such individual by court order,
7 for whom the individual is supplying and, for at least 90
8 consecutive days (or for the duration of the parental
9 relationship if it has existed for less than 90 days)
10 immediately preceding any week with respect to which the
11 individual has filed a claim, has supplied more than one-half
12 the cost of support, or has supplied at least 1/4 of the cost
13 of support if the individual and the other parent, together,
14 are supplying and, during the aforesaid period, have supplied
15 more than one-half the cost of support, and are, and were
16 during the aforesaid period, members of the same household; and
17 who, on the first day of such week (a) is under 18 years of age,
18 or (b) is, and has been during the immediately preceding 90
19 days, unable to work because of illness or other disability:
20 provided, that no person who has been determined to be a child
21 of an individual who has been allowed benefits with respect to
22 a week in the individual's benefit year shall be deemed to be a
23 child of the other parent, and no other person shall be
24 determined to be a child of such other parent, during the
25 remainder of that benefit year.

26 "Nonworking spouse" means the lawful husband or wife of an

1 individual claiming benefits under this Act, for whom more than
2 one-half the cost of support has been supplied by the
3 individual for at least 90 consecutive days (or for the
4 duration of the marital relationship if it has existed for less
5 than 90 days) immediately preceding any week with respect to
6 which the individual has filed a claim, but only if the
7 nonworking spouse is currently ineligible to receive benefits
8 under this Act by reason of the provisions of Section 500E.

9 An individual who was obligated by law to provide for the
10 support of a child or of a nonworking spouse for the aforesaid
11 period of 90 consecutive days, but was prevented by illness or
12 injury from doing so, shall be deemed to have provided more
13 than one-half the cost of supporting the child or nonworking
14 spouse for that period.

15 (Source: P.A. 99-488, eff. 12-4-15.)

16 (820 ILCS 405/403) (from Ch. 48, par. 403)

17 Sec. 403. Maximum total amount of benefits.

18 A. With respect to any benefit year beginning prior to
19 September 30, 1979, any otherwise eligible individual shall be
20 entitled, during such benefit year, to a maximum total amount
21 of benefits as shall be determined in the manner set forth in
22 this Act as amended and in effect on November 9, 1977.

23 B. With respect to any benefit year beginning on or after
24 September 30, 1979, except as otherwise provided in this
25 Section, any otherwise eligible individual shall be entitled,

1 during such benefit year, to a maximum total amount of benefits
2 equal to 26 times his or her weekly benefit amount plus
3 dependents' allowances, or to the total wages for insured work
4 paid to such individual during the individual's base period,
5 whichever amount is smaller. With respect to any benefit year
6 beginning in calendar year 2012, any otherwise eligible
7 individual shall be entitled, during such benefit year, to a
8 maximum total amount of benefits equal to 25 times his or her
9 weekly benefit amount plus dependents' allowances, or to the
10 total wages for insured work paid to such individual during the
11 individual's base period, whichever amount is smaller. ~~If the~~
12 ~~maximum amount includable as "wages" pursuant to Section 235 is~~
13 ~~\$13,560 with respect to calendar year 2013, then, with respect~~
14 ~~to any benefit year beginning after March 31, 2013 and before~~
15 ~~April 1, 2014, any otherwise eligible individual shall be~~
16 ~~entitled, during such benefit year, to a maximum total amount~~
17 ~~of benefits equal to 25 times his or her weekly benefit amount~~
18 ~~plus dependents allowances, or to the total wages for insured~~
19 ~~work paid to such individual during the individual's base~~
20 ~~period, whichever amount is smaller.~~ With respect to any
21 benefit year beginning in calendar year 2020 ~~2018~~, any
22 otherwise eligible individual shall be entitled, during such
23 benefit year, to a maximum total amount of benefits equal to 24
24 times his or her weekly benefit amount plus dependents'
25 allowances, or to the total wages for insured work paid to such
26 individual during the individual's base period, whichever

1 amount is smaller.

2 (Source: P.A. 99-488, eff. 12-4-15.)

3 (820 ILCS 405/1505) (from Ch. 48, par. 575)

4 Sec. 1505. Adjustment of state experience factor. The state
5 experience factor shall be adjusted in accordance with the
6 following provisions:

7 A. For calendar years prior to 1988, the state experience
8 factor shall be adjusted in accordance with the provisions of
9 this Act as amended and in effect on November 18, 2011.

10 B. (Blank).

11 C. For calendar year 1988 and each calendar year
12 thereafter, for which the state experience factor is being
13 determined.

14 1. For every \$50,000,000 (or fraction thereof) by which
15 the adjusted trust fund balance falls below the target
16 balance set forth in this subsection, the state experience
17 factor for the succeeding year shall be increased one
18 percent absolute.

19 For every \$50,000,000 (or fraction thereof) by which
20 the adjusted trust fund balance exceeds the target balance
21 set forth in this subsection, the state experience factor
22 for the succeeding year shall be decreased by one percent
23 absolute.

24 The target balance in each calendar year prior to 2003
25 is \$750,000,000. The target balance in calendar year 2003

1 is \$920,000,000. The target balance in calendar year 2004
2 is \$960,000,000. The target balance in calendar year 2005
3 and each calendar year thereafter is \$1,000,000,000.

4 2. For the purposes of this subsection:

5 "Net trust fund balance" is the amount standing to the
6 credit of this State's account in the unemployment trust
7 fund as of June 30 of the calendar year immediately
8 preceding the year for which a state experience factor is
9 being determined.

10 "Adjusted trust fund balance" is the net trust fund
11 balance minus the sum of the benefit reserves for fund
12 building for July 1, 1987 through June 30 of the year prior
13 to the year for which the state experience factor is being
14 determined. The adjusted trust fund balance shall not be
15 less than zero. If the preceding calculation results in a
16 number which is less than zero, the amount by which it is
17 less than zero shall reduce the sum of the benefit reserves
18 for fund building for subsequent years.

19 For the purpose of determining the state experience
20 factor for 1989 and for each calendar year thereafter, the
21 following "benefit reserves for fund building" shall apply
22 for each state experience factor calculation in which that
23 12 month period is applicable:

24 a. For the 12 month period ending on June 30, 1988,
25 the "benefit reserve for fund building" shall be
26 8/104th of the total benefits paid from January 1, 1988

1 through June 30, 1988.

2 b. For the 12 month period ending on June 30, 1989,
3 the "benefit reserve for fund building" shall be the
4 sum of:

5 i. 8/104ths of the total benefits paid from
6 July 1, 1988 through December 31, 1988, plus

7 ii. 4/108ths of the total benefits paid from
8 January 1, 1989 through June 30, 1989.

9 c. For the 12 month period ending on June 30, 1990,
10 the "benefit reserve for fund building" shall be
11 4/108ths of the total benefits paid from July 1, 1989
12 through December 31, 1989.

13 d. For 1992 and for each calendar year thereafter,
14 the "benefit reserve for fund building" for the 12
15 month period ending on June 30, 1991 and for each
16 subsequent 12 month period shall be zero.

17 3. Notwithstanding the preceding provisions of this
18 subsection, for calendar years 1988 through 2003, the state
19 experience factor shall not be increased or decreased by
20 more than 15 percent absolute.

21 D. Notwithstanding the provisions of subsection C, the
22 adjusted state experience factor:

23 1. Shall be 111 percent for calendar year 1988;

24 2. Shall not be less than 75 percent nor greater than
25 135 percent for calendar years 1989 through 2003; and shall
26 not be less than 75% nor greater than 150% for calendar

1 year 2004 and each calendar year thereafter, not counting
2 any increase pursuant to subsection D-1, D-2, or D-3;

3 3. Shall not be decreased by more than 5 percent
4 absolute for any calendar year, beginning in calendar year
5 1989 and through calendar year 1992, by more than 6%
6 absolute for calendar years 1993 through 1995, by more than
7 10% absolute for calendar years 1999 through 2003 and by
8 more than 12% absolute for calendar year 2004 and each
9 calendar year thereafter, from the adjusted state
10 experience factor of the calendar year preceding the
11 calendar year for which the adjusted state experience
12 factor is being determined;

13 4. Shall not be increased by more than 15% absolute for
14 calendar year 1993, by more than 14% absolute for calendar
15 years 1994 and 1995, by more than 10% absolute for calendar
16 years 1999 through 2003 and by more than 16% absolute for
17 calendar year 2004 and each calendar year thereafter, from
18 the adjusted state experience factor for the calendar year
19 preceding the calendar year for which the adjusted state
20 experience factor is being determined;

21 5. Shall be 100% for calendar years 1996, 1997, and
22 1998.

23 D-1. The adjusted state experience factor for each of
24 calendar years 2013 through 2015 shall be increased by 5%
25 absolute above the adjusted state experience factor as
26 calculated without regard to this subsection. The adjusted

1 state experience factor for each of calendar years 2016 through
2 2018 shall be increased by 6% absolute above the adjusted state
3 experience factor as calculated without regard to this
4 subsection. The increase in the adjusted state experience
5 factor for calendar year 2018 pursuant to this subsection shall
6 not be counted for purposes of applying paragraph 3 or 4 of
7 subsection D to the calculation of the adjusted state
8 experience factor for calendar year 2019.

9 D-2. (Blank).

10 D-3. The adjusted state experience factor for calendar year
11 2020 ~~2018~~ shall be increased by 21% ~~19%~~ absolute above the
12 adjusted state experience factor as calculated without regard
13 to this subsection. The increase in the adjusted state
14 experience factor for calendar year 2020 ~~2018~~ pursuant to this
15 subsection shall not be counted for purposes of applying
16 paragraph 3 or 4 of subsection D to the calculation of the
17 adjusted state experience factor for calendar year 2021 ~~2019~~.

18 E. The amount standing to the credit of this State's
19 account in the unemployment trust fund as of June 30 shall be
20 deemed to include as part thereof (a) any amount receivable on
21 that date from any Federal governmental agency, or as a payment
22 in lieu of contributions under the provisions of Sections 1403
23 and 1405 B and paragraph 2 of Section 302C, in reimbursement of
24 benefits paid to individuals, and (b) amounts credited by the
25 Secretary of the Treasury of the United States to this State's
26 account in the unemployment trust fund pursuant to Section 903

1 of the Federal Social Security Act, as amended, including any
2 such amounts which have been appropriated by the General
3 Assembly in accordance with the provisions of Section 2100 B
4 for expenses of administration, except any amounts which have
5 been obligated on or before that date pursuant to such
6 appropriation.

7 (Source: P.A. 99-488, eff. 12-4-15.)

8 (820 ILCS 405/1506.6)

9 Sec. 1506.6. Surcharge; specified period. For each
10 employer whose contribution rate for calendar year 2020 ~~2018~~ is
11 determined pursuant to Section 1500 or 1506.1, ~~including but~~
12 ~~not limited to an employer whose contribution rate pursuant to~~
13 ~~Section 1506.1 is 0.0%~~, in addition to the contribution rate
14 established pursuant to Section 1506.3, an additional
15 surcharge of 0.425% ~~0.3%~~ shall be added to the contribution
16 rate. The surcharge established by this Section shall be due at
17 the same time as other contributions with respect to the
18 quarter are due, as provided in Section 1400. Payments
19 attributable to the surcharge established pursuant to this
20 Section shall be contributions and deposited into the clearing
21 account.

22 (Source: P.A. 99-488, eff. 12-4-15.)

23 Section 99. Effective date. This Act takes effect upon
24 becoming law.