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### Amending 82-4-2 (1), Colorado Revised Statutes 1963, Concerning the Weekly Benefit Amount for Total Unemployment.

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## CHAPTER 212

## LABOR III — EMPLOYMENT SECURITY

## BENEFITS — ELIGIBILITY — DISQUALIFICATION

(Senate Bill No. 323. By Senators Kemp, Armstrong, Jackson, Stockton, and Williams; also Representatives Bryant, Hinman, Sack, and Schafer.)

## A N A C T

AMENDING 82-4-2 (1), COLORADO REVISED STATUTES 1963, CONCERNING THE WEEKLY BENEFIT AMOUNT FOR TOTAL UNEMPLOYMENT.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. 82-4-2 (1), Colorado Revised Statutes 1963, is amended to read:

82-4-2. Weekly benefit amount for total unemployment.—(1) (a) Except as otherwise provided in section 82-4-4, AS AMENDED, OR PARAGRAPH (b) OF THIS SUBSECTION (1), each eligible individual who is totally unemployed in any week shall be paid, with respect to such week, benefits at the rate of sixty per cent of his average weekly wages ONE THIRTEENTH OF THE WAGES PAID for insured work paid during the quarter in his base period in which such total wages were highest computed to the next higher multiple of one dollar but not more than one-half of the average of the average weekly earnings in selected industries in Colorado as published by the United States bureau of labor statistics, weighted by the volume of employment according to the department's records OF THE DIVISION OF EMPLOYMENT in each of the selected industries, as computed by the department DIVISION in June and December for the ensuing six months beginning respectively on January 1, and July 1, on the basis of the most recent available figures, and not less than fourteen dollars.

(b) AN INDIVIDUAL WHO IS ENTITLED TO THE MAXIMUM WEEKLY BENEFIT AMOUNT AS COMPUTED IN PARAGRAPH (a) OF THIS SUBSECTION SHALL RECEIVE A WEEKLY BENEFIT AMOUNT OF FIFTY PER CENT OF ONE FIFTY-SECOND OF HIS TOTAL WAGES PAID FOR INSURED WORK DURING HIS BASE PERIOD, COMPUTED TO THE NEXT HIGHER MULTIPLE OF ONE DOLLAR, BUT NOT TO EXCEED SIXTY PER CENT OF THE AVERAGE OF THE AVERAGE WEEKLY EARNINGS IN SELECTED INDUSTRIES IN COLORADO. IN NO CASE SHALL AN INDIVIDUAL RECEIVE A WEEKLY BENEFIT AMOUNT COMPUTED IN ACCORDANCE WITH THIS PARAGRAPH (b) OF THIS SUBSECTION UN-

*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

LESS IT IS GREATER THAN THE WEEKLY BENEFIT AMOUNT YIELDED BY COMPUTATION IN ACCORDANCE WITH PARAGRAPH (a) OF THIS SUBSECTION. Benefit amounts so computed DETERMINED UNDER THE PROVISIONS OF THIS SECTION shall apply only to those individuals whose benefit years begin subsequent to the effective date of each newly computed maximum benefit amount. No re-determination of benefit amounts already established shall be required by the computation of new maximum benefit amounts. Provided, that if the benefit amount as above computed does not reflect a benefit amount which is sixty per cent of the individual's usual full time weekly wage, the department shall compute such individual's benefit amount in such manner as it deems fair and equitable so that the individual's benefit amount shall be sixty per cent of the individual's usual full time weekly wage, but not more than the maximum amount as provided in this subsection (1), and provided further, that any such computation made by the department pursuant hereto shall be final.

Section 2. Effective date.—This act shall take effect July 1, 1969.

Section 3. Safety clause.—The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 7, 1969