

# SB1820



## 102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB1820

Introduced 2/26/2021, by Sen. David Koehler

### SYNOPSIS AS INTRODUCED:

35 ILCS 200/15-190 new  
820 ILCS 405/408.5

Amends the Property Tax Code to freeze the tax assessment for electricity generating plants for a period of 5 years beginning the year the electricity generating plant is closed. Amends the Unemployment Insurance Act to authorize additional benefits for individuals whose unemployment or partial unemployment is attributable to a layoff from an electric power plant.

LRB102 17023 HLH 22446 b

A BILL FOR

1 AN ACT concerning revenue and employment.

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

4 Section 5. The Property Tax Code is amended by adding  
5 Section 15-190 as follows:

6 (35 ILCS 200/15-190 new)

7 Sec. 15-190. Electricity generating plant tax assessment  
8 freeze. Beginning in the year an electricity generating plant  
9 is closed, the closed plant is granted a property tax  
10 assessment freeze for a period of 5 years. The amount at which  
11 the property tax assessment shall be frozen shall be  
12 determined by calculating the average equalized assessed value  
13 of the property for the year the plant is closed and the  
14 equalized assessed value of the property during the 4 years  
15 preceding the year the plant was closed.

16 Section 10. The Unemployment Insurance Act is amended by  
17 changing Section 408.5 as follows:

18 (820 ILCS 405/408.5)

19 Sec. 408.5. Additional benefits.

20 A. Additional benefits shall be available:

21 1. only with respect to benefit years beginning on or

1 after April 1, ~~2017~~ 2015 and prior to the effective date of  
2 this amendatory Act of the 102nd ~~99th~~ General Assembly;  
3 and

4 2. to an otherwise eligible individual: ~~(a) who was~~  
5 ~~certified as eligible to apply for adjustment assistance~~  
6 ~~under the federal Trade Act of 1974, as amended, on or~~  
7 ~~after January 1, 2015; (b) who has not received the~~  
8 ~~maximum amount of trade readjustment allowances payable to~~  
9 ~~him or her pursuant to paragraph (1) of subsection (a) of~~  
10 ~~Section 233 of the federal Trade Act of 1974, as amended,~~  
11 ~~as a result of the certification referenced in item (a) of~~  
12 ~~this paragraph 2; and (c) whose total or partial~~  
13 unemployment is attributable to a layoff from an electric  
14 power plant or coal mine ~~a steel manufacturer.~~

15 B. An individual shall be eligible to receive additional  
16 benefits pursuant to this Section for a week if he or she: (1)  
17 has met the requirements of Section 500E of this Act; (2) is an  
18 exhaustee; and (3) except when the result would be  
19 inconsistent with the provisions of this Section, has  
20 satisfied the requirements of this Act for the receipt of  
21 regular benefits as that term is defined in Section 409 of this  
22 Act.

23 C. For the purposes of this Section, an individual is an  
24 exhaustee with respect to a week if:

25 1. prior to such week: (a) he or she has received, with  
26 respect to his or her current benefit year that includes

1 such week, the maximum total amount of benefits to which  
2 he or she was entitled under the provisions of Section  
3 403B, and all of the regular benefits (including  
4 dependents' allowances) to which he or she had entitlement  
5 (if any) on the basis of wages or employment under any  
6 other State unemployment compensation law; or (b) he or  
7 she has received all the regular benefits available to him  
8 or her with respect to his or her current benefit year that  
9 includes such week, under this Act and under any other  
10 State unemployment compensation law, after a cancellation  
11 of some or all of his or her wage credits or the partial or  
12 total reduction of his or her regular benefit rights; or  
13 (c) his or her benefit year terminated, and he or she  
14 cannot meet the qualifying wage requirements of Section  
15 500E of this Act or the qualifying wage or employment  
16 requirements of any other State unemployment compensation  
17 law to establish a new benefit year which would include  
18 such week or, having established a new benefit year that  
19 includes such week, he or she is ineligible for regular  
20 benefits by reason of Section 607 of this Act or a like  
21 provision of any other State unemployment compensation  
22 law; and

23 2. for such week: (a) he or she has no right to  
24 benefits or allowances, as the case may be, under the  
25 Railroad Unemployment Insurance Act, the federal Trade Act  
26 of 1974, as amended, or such other federal laws as are

1 specified in regulations of the United States Secretary of  
2 Labor or other appropriate federal agency; and (b) he or  
3 she has not received and is not seeking benefits under the  
4 unemployment compensation law of Canada, except that if he  
5 or she is seeking such benefits and the appropriate agency  
6 finally determines that he or she is not entitled to  
7 benefits under such law, this clause shall not apply; and

8 3. the week for which additional benefits are being  
9 claimed is not later than 78 ~~seventy-eight~~ weeks after the  
10 end of the individual's benefit year for which benefits  
11 can be claimed under this Section.

12 For the purposes of clauses (a) and (b) of paragraph 1 of  
13 this subsection, an individual shall be deemed to have  
14 received, with respect to his or her current benefit year, the  
15 maximum total amount of benefits to which he or she was  
16 entitled or all of the regular benefits to which he or she had  
17 entitlement, or all of the regular benefits available to him  
18 or her, as the case may be, even though: (a) as a result of a  
19 pending reconsideration or appeal with respect to the  
20 "finding" defined in Section 701, or of a pending appeal with  
21 respect to wages or employment or both under any other State  
22 unemployment compensation law, he or she may subsequently be  
23 determined to be entitled to more regular benefits; or (b) by  
24 reason of a seasonality provision in a State unemployment  
25 compensation law which establishes the weeks of the year for  
26 which regular benefits may be paid to individuals on the basis

1 of wages in seasonal employment he or she may be entitled to  
2 regular benefits for future weeks but such benefits are not  
3 payable with respect to the week for which he or she is  
4 claiming additional benefits, provided that he or she is  
5 otherwise an exhaustee under the provisions of this subsection  
6 with respect to his or her rights to regular benefits, under  
7 such seasonality provision, during the portion of the year in  
8 which that week occurs; or (c) having established a benefit  
9 year, no regular benefits are payable to him or her with  
10 respect to such year because his or her wage credits were  
11 cancelled or his or her rights to regular benefits were  
12 totally reduced by reason of the application of a  
13 disqualification provision of a State unemployment  
14 compensation law.

15 An individual shall not cease to be an exhaustee with  
16 respect to any week solely because he or she meets the  
17 qualifying wage requirements of Section 500E for a part of  
18 such week.

19 D. The provisions of Section 607 and the waiting period  
20 requirements of Section 500D shall not be applicable to any  
21 week with respect to which benefits are otherwise payable  
22 under this Section.

23 E. With respect to any week payable under this Section, an  
24 exhaustee's "weekly additional benefit amount" shall be the  
25 same as his or her weekly benefit amount during his or her  
26 benefit year which includes such week or, if such week is not

1 in a benefit year, during his or her applicable benefit year,  
2 as defined in regulations issued by the United States  
3 Secretary of Labor or other appropriate federal agency. If the  
4 exhaustee had more than one weekly benefit amount during his  
5 or her benefit year, his or her weekly additional benefit  
6 amount with respect to such week shall be the latest of such  
7 weekly benefit amounts.

8 F. An eligible exhaustee shall be entitled to a maximum  
9 total amount of additional benefits equal to the maximum total  
10 amount of benefits to which he or she was entitled under  
11 Section 403B, plus dependents' allowances, during his or her  
12 applicable benefit year, minus the sum of any trade  
13 readjustment allowances he or she has received as a result of  
14 the certification referenced in item (a) of paragraph 2 of  
15 subsection A.

16 G. 1. A claims adjudicator shall examine the first claim  
17 filed by an individual who meets the requirements of  
18 subsection A and, on the basis of the information in his or her  
19 possession, shall make an "additional benefits finding". Such  
20 finding shall state whether or not the individual has met the  
21 requirement of subsection E of Section 500 of this Act, is an  
22 exhaustee and, if so, his or her weekly additional benefit  
23 amount and the maximum total amount of additional benefits to  
24 which he or she is entitled. The claims adjudicator shall  
25 promptly notify the individual of his or her "additional  
26 benefits finding", and shall promptly notify the individual's

1 most recent employing unit and the individual's last employer  
2 (referred to in Section 1502.1) that the individual has filed  
3 a claim for additional benefits. The claims adjudicator may  
4 reconsider his or her "additional benefits finding" at any  
5 time within 2 years after the close of the individual's  
6 applicable benefit year, and shall promptly notify the  
7 individual of such reconsidered finding. All of the provisions  
8 of this Act applicable to reviews from findings or  
9 reconsidered findings made pursuant to Sections 701 and 703  
10 which are not inconsistent with the provisions of this  
11 subsection shall be applicable to reviews from additional  
12 benefits findings and reconsidered additional benefits  
13 findings.

14 2. If, pursuant to the reconsideration or appeal with  
15 respect to a "finding", referred to in subsection C, an  
16 exhaustee is found to be entitled to more regular benefits  
17 and, by reason thereof, is entitled to more additional  
18 benefits, the claims adjudicator shall make a reconsidered  
19 additional benefits finding and shall promptly notify the  
20 exhaustee thereof.

21 H. Benefits payable pursuant to this Section shall be paid  
22 from the unemployment trust fund.

23 I. No employer shall be chargeable for the additional  
24 benefits paid under this Section.

25 J. To ensure full compliance and coordination with all  
26 applicable federal laws, including, but not limited to, the



1 federal Trade Act of 1974, as amended, the Federal  
2 Unemployment Tax Act, and the Social Security Act, the  
3 Director shall take any action or issue any regulations  
4 necessary in the administration of this Section to ensure that  
5 its provisions are so interpreted and applied as to meet the  
6 requirements of such federal Act as interpreted by the United  
7 States Secretary of Labor or other appropriate Federal agency.  
8 (Source: P.A. 99-912, eff. 12-19-16.)