

**First Regular Session  
Sixty-fifth General Assembly  
STATE OF COLORADO**

**INTRODUCED**

LLS NO. 05-0457.01 Karen Woods

**HOUSE BILL 05-1020**

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**HOUSE SPONSORSHIP**

**Cerbo,**

**SENATE SPONSORSHIP**

**(None),**

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**House Committees**

Business Affairs and Labor

**Senate Committees**

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**A BILL FOR AN ACT**

101     **CONCERNING THE CREATION OF AN ALTERNATIVE BASE PERIOD FOR**  
102             **THE PURPOSE OF QUALIFYING WORKERS FOR UNEMPLOYMENT**  
103             **INSURANCE BENEFITS.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)*

Creates an alternative base period for the purpose of qualifying workers for unemployment insurance benefits. Defines alternative base period as the last 4 completed quarters preceding the benefits period. Allows the division of employment and training to base a determination of eligibility for unemployment insurance benefits on the affidavit of the unemployed person for the quarter immediately preceding the benefit period.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.*  
*Dashes through the words indicate deletions from existing statute.*

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

2           **SECTION 1.** 8-70-103, Colorado Revised Statutes, is amended  
3 BY THE ADDITION OF A NEW SUBSECTION to read:

4           **8-70-103. Definitions.** As used in articles 70 to 82 of this title,  
5 unless the context otherwise requires:

6           (1.5) "ALTERNATIVE BASE PERIOD" MEANS THE LAST FOUR  
7 COMPLETED CALENDAR QUARTERS IMMEDIATELY PRECEDING THE BENEFIT  
8 PERIOD.

9           **SECTION 2.** 8-73-102 (1), Colorado Revised Statutes, is  
10 amended to read:

11           **8-73-102. Weekly benefit amount for total unemployment.**

12 (1) (a) Except as otherwise provided in section 8-73-104 or subsection  
13 (2) of this section, each eligible individual who is totally unemployed in  
14 any week shall be paid, with respect to such week, benefits at the rate of  
15 sixty percent of one-twenty-sixth of the wages paid for insured work  
16 during the two consecutive quarters of his OR HER base period in which  
17 such total wages were highest, computed to the next lower multiple of  
18 one dollar but not more than one-half of the average weekly earnings in  
19 all covered industries in Colorado according to the records of the  
20 division, as computed by the division in June for the ensuing twelve  
21 months beginning July 1, on the basis of the most recent available figures,  
22 and not less than twenty-five dollars.

23           (b) (I) IF AN INDIVIDUAL DOES NOT HAVE SUFFICIENT QUALIFYING  
24 WEEKS OR WAGES IN THE BASE PERIOD TO QUALIFY FOR UNEMPLOYMENT  
25 INSURANCE BENEFITS, THE INDIVIDUAL SHALL HAVE THE OPTION OF  
26 DESIGNATING THAT THE BASE PERIOD SHALL BE THE ALTERNATIVE BASE

1 PERIOD.

2 (II) IF INFORMATION REGARDING WEEKS AND WAGES FOR THE  
3 CALENDAR QUARTER IMMEDIATELY PRECEDING THE BENEFIT PERIOD IS NOT  
4 AVAILABLE FROM THE REGULAR QUARTERLY REPORTS OF WAGE  
5 INFORMATION, AND THE DIVISION IS NOT ABLE TO OBTAIN THE  
6 INFORMATION USING OTHER MEANS PURSUANT TO STATE OR FEDERAL LAW,  
7 THE DIVISION MAY BASE THE DETERMINATION OF ELIGIBILITY FOR  
8 UNEMPLOYMENT INSURANCE BENEFITS ON THE AFFIDAVIT OF THE  
9 UNEMPLOYED INDIVIDUAL WITH RESPECT TO WEEKS AND WAGES FOR THAT  
10 CALENDAR QUARTER. THE INDIVIDUAL SHALL FURNISH PAYROLL  
11 DOCUMENTATION, IF AVAILABLE, IN SUPPORT OF THE AFFIDAVIT. A  
12 DETERMINATION OF UNEMPLOYMENT INSURANCE BENEFITS BASED ON AN  
13 ALTERNATIVE BASE PERIOD SHALL BE ADJUSTED WHEN THE QUARTERLY  
14 REPORT OF WAGE INFORMATION FROM THE EMPLOYER IS RECEIVED, IF  
15 THAT INFORMATION CAUSES A CHANGE IN THE DETERMINATION.

16 **SECTION 3. Effective date.** This act shall take effect at 12:01  
17 a.m. on the day following the expiration of the ninety-day period after  
18 final adjournment of the general assembly that is allowed for submitting  
19 a referendum petition pursuant to article V, section 1 (3) of the state  
20 constitution (August 10, 2005, if adjournment sine die is on May 11,  
21 2005); except that, if a referendum petition is filed against this act or an  
22 item, section, or part of this act within such period, then the act, item,  
23 section, or part, if approved by the people, shall take effect on the date of  
24 the official declaration of the vote thereon by proclamation of the  
25 governor.